

# EXHIBIT 12

1 BRENT ALLEN LARSON

2 IN THE UNITED STATES DISTRICT COURT

3 FOR THE NORTHERN DISTRICT OF MISSISSIPPI

4 OXFORD DIVISION

5  
6 JOHN RASH,

7  
8 Plaintiff,

9 v.

CIVIL ACTION NO.:  
3:20-cv-224-NBB-RP

10 LAFAYETTE COUNTY,  
11 MISSISSIPPI,

12 Defendant.

13  
14  
15 VIDEOTAPED REMOTE DEPOSITION OF

16 BRENT ALLEN LARSON

17 Thursday, January 14, 2021

18 9:13 a.m. Central Standard Time

19  
20  
21  
22  
23 Reported by:

24 GRETA H. DUCKETT, CCR, RPR, CRR, CVR-S, RVR-M-S

25 JOB NO.: 188442

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3		3	
4		4 FOR THE PLAINTIFF:	
5 January 14, 2021		5	
6 9:13 a.m. Central Standard Time		6 Isaac Rethy, Esq.	
7		7	
8 Videotaped remote deposition of		8 SIMPSON THACHER	
9 BRENT ALLEN LARSON, before Greta H. Duckett,		9 425 Lexington Avenue	
10 CCR, RPR, CRR, CVR-S, RVR-M-S.		10 New York, New York 10017	
11		11	
12		12	
13		13 Landon Thames, Esq.	
14		14	
15		15 ACLU OF MISSISSIPPI	
16		16 P.O. Box 2242	
17		17 Jackson, Mississippi 39225	
18		18	
19		19	
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4		4	
5 FOR LAFAYETTE COUNTY, MISSISSIPPI:		5 BRENT ALLEN LARSON	
6		6 BY MR. RETHY	10
7 David O'Donnell, Esq.		7	
8		8	
9 CLAYTON O'DONNELL		9	
10 1403 Van Buren Avenue		10	
11 Oxford, Mississippi 38655		11	
12		12	
13		13	
14 ALSO PRESENT:		14	
15		15	
16 Mike Pham, videographer		16	
17		17	
18		18	
19		19	
20		20	
21		21	
22		22	
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<p style="text-align: right;">Page 8</p> <p>BRENT ALLEN LARSON</p> <p>THE VIDEOGRAPHER: Good morning, Counselors. My name is Michael Pham. I am a legal videographer in association with TSG Reporting, Incorporated.</p> <p>Due to the severity of COVID-19 and following the practice of social distancing, I will not be in the same room with the witness. Instead, I will record this videotaped deposition remotely. Our court reporter, Greta Duckett, also will not be in the same room and will swear the witness remotely.</p> <p>Do all parties stipulate to the validity of this video recording and remote swearing and that it will be admissible in the courtroom as if it had been taken following Rule 30 of the Federal Rules of Civil Procedure and the state rules where this case is pending?</p>	<p style="text-align: right;">Page 9</p> <p>BRENT ALLEN LARSON</p> <p>MR. RETHY: Yes.</p> <p>MR. O'DONNELL: Yes. No objection.</p> <p>THE VIDEOGRAPHER: Thank you. This is the start of the remote video-recorded deposition of Brent Larson in the matter of John Rash versus Lafayette County, Mississippi, being heard in the United States District Court, Northern District of Mississippi, Oxford Division, case number 3:20-cv-224-NBB-RP. Today's date is January 14th, 2021. The time on the record is approximately 9:13 a.m.</p> <p>Counsel, will you please introduce yourselves, plaintiffs first.</p> <p>MR. RETHY: Good morning. My name is Isaac Rethy. I'm an attorney with Simpson Thacher &amp; Bartlett. I represent plaintiff, John Rash.</p>

<p style="text-align: right;">Page 10</p> <p>1 BRENT ALLEN LARSON</p> <p>2 MR. THAMES: Good morning.</p> <p>3 My name is Landon Thames. I work</p> <p>4 with the ACLU of Mississippi, and I</p> <p>5 will be representing the plaintiff,</p> <p>6 John Rash, as well.</p> <p>7 MR. O'DONNELL: This is David</p> <p>8 O'Donnell on behalf of Lafayette</p> <p>9 County, Mississippi.</p> <p>10 THE VIDEOGRAPHER: Would the</p> <p>11 court reporter please swear in the</p> <p>12 witness.</p> <p>13 BRENT ALLEN LARSON,</p> <p>14 the witness, having first been duly</p> <p>15 sworn to speak the truth, the whole truth and</p> <p>16 nothing but the truth, testified as follows:</p> <p>17 EXAMINATION</p> <p>18 BY MR. RETHY:</p> <p>19 Q. Good morning, Mr. Larson.</p> <p>20 A. Good morning.</p> <p>21 Q. Have you ever been deposed before?</p> <p>22 A. One other time.</p> <p>23 Q. And when was that?</p> <p>24 A. I don't know. I'd have to</p> <p>25 speculate on that. Maybe 10 years ago.</p>	<p style="text-align: right;">Page 11</p> <p>1 BRENT ALLEN LARSON</p> <p>2 Q. And what was the nature of that</p> <p>3 deposition?</p> <p>4 A. I own a grocery store, and it was a</p> <p>5 truck driver suing our company for having a</p> <p>6 crushed foot from a dock plate dropped on it.</p> <p>7 Q. Other than that, have you ever</p> <p>8 given testimony, either in court or out of</p> <p>9 court?</p> <p>10 A. I have.</p> <p>11 Q. And could you describe those</p> <p>12 circumstances?</p> <p>13 A. We own a grocery store, a family</p> <p>14 business. And, regularly, I go to city court</p> <p>15 to testify on our business behalf for</p> <p>16 shoplifter prosecution, and I've also testified</p> <p>17 in federal court here in Oxford on a</p> <p>18 counterfeit-money operation here in Oxford that</p> <p>19 we were the ones that received the counterfeit</p> <p>20 bill.</p> <p>21 Q. Okay. Thanks. Do you have a</p> <p>22 binder of documents?</p> <p>23 A. I do.</p> <p>24 Q. Okay. Great. And could you just</p> <p>25 state your full name and address for the</p>
<p style="text-align: right;">Page 12</p> <p>1 BRENT ALLEN LARSON</p> <p>2 record.</p> <p>3 A. My name is Brent Allen Larson.</p> <p>4 Q. And could you state your address,</p> <p>5 as well?</p> <p>6 A. 136 County Road 423, Oxford,</p> <p>7 Mississippi 38655.</p> <p>8 Q. Are you currently a member of the</p> <p>9 Lafayette County Board of Supervisors?</p> <p>10 A. Yes.</p> <p>11 Q. And which district do you</p> <p>12 represent?</p> <p>13 A. One.</p> <p>14 Q. How long have you had that</p> <p>15 position?</p> <p>16 A. 12 months.</p> <p>17 Q. And who was the -- who held that</p> <p>18 position before you did?</p> <p>19 A. Kevin Frye.</p> <p>20 Q. And did you run in a contested</p> <p>21 election against Mr. Frye for that position?</p> <p>22 A. No, I did not.</p> <p>23 Q. Did you do anything to prepare for</p> <p>24 today's deposition?</p> <p>25 A. I did.</p>	<p style="text-align: right;">Page 13</p> <p>1 BRENT ALLEN LARSON</p> <p>2 Q. Could you describe what that was?</p> <p>3 A. I met with Mr. O'Donnell.</p> <p>4 Q. For approximately how long?</p> <p>5 A. An hour and a half.</p> <p>6 Q. Have you spoken to anyone other</p> <p>7 than Mr. O'Donnell about the deposition?</p> <p>8 A. Yes.</p> <p>9 Q. Who else have you spoken to?</p> <p>10 A. Lisa Carwyle. I just asked how it</p> <p>11 went, just general questions.</p> <p>12 Q. And do you recall what she said?</p> <p>13 A. It was long.</p> <p>14 Q. And anything beyond that?</p> <p>15 A. No, no. I just asked them how it</p> <p>16 went.</p> <p>17 Q. Hopefully, this won't be too long</p> <p>18 today.</p> <p>19 A. Okay.</p> <p>20 Q. I don't think we're going to go</p> <p>21 through each one of the documents in the</p> <p>22 binder. So in terms of just deposition</p> <p>23 procedure on Zoom, I'm going to be asking</p> <p>24 questions. If you can't hear me, either</p> <p>25 because I'm just talking too quietly or not</p>

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2 coherently or because there's a technical

3 issue, please let me know so that I can try to

4 fix the issue or restate my question. Does

5 that make sense?

6 A. Yes, sir. It does.

7 Q. And now, if there is a -- you know,

8 some kind of technical issue and someone drops

9 off, then we'll -- you know, we'll have to

10 adjourn and come back once that technical issue

11 is resolved.

12 A. Okay.

13 Q. The -- your counsel might make

14 objections, but unless he tells you not to

15 answer, you should proceed to answer, even

16 though he's objected to the question. Does

17 that make sense?

18 A. Yes, it does.

19 Q. So could you explain why you

20 decided to join the board of supervisors?

21 A. I enjoy serving the public. I've

22 been in the business of selling groceries for

23 30 years, and I'm a lifelong Oxford resident,

24 and I just wanted to continue in a different

25 aspect to serve our public. And I just enjoy

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2 A. Yes.

3 Q. Have you ever seen this document

4 before?

5 A. I saw it yesterday.

6 Q. Was that in connection with your

7 preparation for this deposition?

8 A. Yes.

9 Q. But prior to yesterday, you've

10 never seen this document before?

11 A. No.

12 Q. So prior to yesterday, did you have

13 any awareness that a facility use policy was

14 maintained by Lafayette County?

15 A. Yes.

16 Q. And how did you come to -- when did

17 you come to learn that?

18 A. I believe it was in June of 2020.

19 I'm speculating. Around about June of 2020.

20 Q. So prior to June 2020, you didn't

21 have any knowledge one way or the other as to

22 whether a facility use policy existed?

23 A. I don't think so. I mean, I might

24 have, but I'm just -- I'm guessing.

25 Q. And so how did you come to learn of

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2 doing it.

3 Q. Have you held a public office

4 before this year or before the start of your

5 term on the board of supervisors?

6 A. Yes. I was on the Lafayette County

7 school board for three years.

8 Q. I'm sorry. You said "school

9 board"?

10 A. Yes. School board.

11 Q. And what years was that?

12 A. The three previous years of '16 --

13 '17, '18, and '19.

14 Q. So we're going to look at a

15 document now. And this will be Exhibit 1.

16 I'll drop it in the chat. And it's tab 3 of

17 your binder.

18 (Exhibit 1 was marked for

19 identification.)

20 BY MR. RETHY:

21 Q. Is this a document called, Facility

22 Use Policy?

23 A. Yes.

24 Q. And it says, Effective Date:

25 March 4, 2019?

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2 the existence of the facility use policy in

3 June 2020?

4 A. Upon recommendations from our

5 sheriff.

6 Q. And what was the nature of those

7 recommendations?

8 A. He wanted to amend the facility use

9 policy.

10 Q. And what was the nature of the

11 proposed amendment?

12 A. I don't remember.

13 Q. Do you recall whether any reasons

14 were given for the proposed amendment?

15 A. I think it was safety concerns.

16 Q. Were those safety concerns related

17 to increased protest activity following the

18 death of George Floyd?

19 A. No. Absolutely not.

20 Q. What were those safety concerns

21 related to?

22 A. What were the safety concerns? I

23 don't remember.

24 Q. So you say you don't remember what

25 they were, but you do remember that they were

<p style="text-align: right;">Page 18</p> <p>1 BRENT ALLEN LARSON</p> <p>2 not related to increased protest activity?</p> <p>3 A. That's right.</p> <p>4 Q. Was there increased protest</p> <p>5 activity in Oxford or Lafayette County</p> <p>6 following the killing of George Floyd?</p> <p>7 A. Yes.</p> <p>8 Q. And did you believe that that gave</p> <p>9 rise to any safety concerns?</p> <p>10 A. I don't know.</p> <p>11 Q. Did you discuss any safety concerns</p> <p>12 related to protests over summer of 2020 with</p> <p>13 anyone?</p> <p>14 A. Did I discuss -- I don't remember.</p> <p>15 Q. Do you remember having any</p> <p>16 discussions of any kind related to protest</p> <p>17 activities over the summer of 2020?</p> <p>18 A. Any protest activity? I don't</p> <p>19 remember.</p> <p>20 Q. Do you remember having any</p> <p>21 discussions of any kind related to the</p> <p>22 Confederate monument outside the Lafayette</p> <p>23 County Courthouse at any point during the</p> <p>24 summer of 2020?</p> <p>25 A. I don't remember.</p>	<p style="text-align: right;">Page 19</p> <p>1 BRENT ALLEN LARSON</p> <p>2 Q. Do you have any recollection of the</p> <p>3 board of supervisors having taken any votes</p> <p>4 related to the Confederate monument over the</p> <p>5 summer of 2020?</p> <p>6 A. Yes.</p> <p>7 Q. And what is that recollection?</p> <p>8 A. We voted not to move the statue, to</p> <p>9 leave it where it's at.</p> <p>10 Q. And how did you vote on that?</p> <p>11 A. I voted to leave it where it is.</p> <p>12 Q. Why did you vote that way?</p> <p>13 A. Because that was my feelings.</p> <p>14 Q. I'm sorry. Can you say that again?</p> <p>15 A. That was my -- my feelings.</p> <p>16 Q. Can you -- do you have any further</p> <p>17 explanation as to why you felt that way?</p> <p>18 A. Listening to my constituents.</p> <p>19 Q. So you had conversations with</p> <p>20 constituents related to the Confederate</p> <p>21 monument over the summer of 2020?</p> <p>22 A. Yes.</p> <p>23 Q. But didn't you just testify that</p> <p>24 you couldn't remember any discussions related</p> <p>25 to the Confederate monument over the summer of</p>
<p style="text-align: right;">Page 20</p> <p>1 BRENT ALLEN LARSON</p> <p>2 2020?</p> <p>3 A. I just know I had discussions. I</p> <p>4 don't know the content. I don't remember the</p> <p>5 content of them.</p> <p>6 Q. So you don't know whether your</p> <p>7 constituents wanted the statue to be kept or</p> <p>8 wanted the statue to be moved?</p> <p>9 A. Yes, I do.</p> <p>10 Q. So you do remember the content to</p> <p>11 some extent?</p> <p>12 A. To some extent, that's correct.</p> <p>13 Q. So how many -- can you provide a</p> <p>14 rough sense of how many conversations you had</p> <p>15 with constituents about the Confederate</p> <p>16 monument?</p> <p>17 A. No.</p> <p>18 Q. Would it have been more like 10 or</p> <p>19 more like a hundred?</p> <p>20 A. I don't know.</p> <p>21 Q. So you have no sense as to whether</p> <p>22 you've talked to, say, only a single person or</p> <p>23 whether you talked to a hundred or more people?</p> <p>24 A. The question was -- I mean, you</p> <p>25 asked me did I talk to 10 or a hundred. I</p>	<p style="text-align: right;">Page 21</p> <p>1 BRENT ALLEN LARSON</p> <p>2 don't know. I know I talked to at least one.</p> <p>3 Q. Do you remember who that was?</p> <p>4 A. No.</p> <p>5 Q. And do you remember what that one</p> <p>6 individual's perspective was on whether the</p> <p>7 statue should be moved or kept?</p> <p>8 A. No.</p> <p>9 Q. So what's the basis for your belief</p> <p>10 that your constituents wanted the statue to be</p> <p>11 kept rather than moved?</p> <p>12 A. Because the majority of my</p> <p>13 constituents wanted to keep it where it is.</p> <p>14 Q. How did you come to learn that that</p> <p>15 was the opinion of the majority of your</p> <p>16 constituents?</p> <p>17 A. From the ones I heard from.</p> <p>18 Q. But you're saying you can only</p> <p>19 remember hearing from one person?</p> <p>20 A. No, I did not. I said there was at</p> <p>21 least one.</p> <p>22 Q. But beyond -- could you say whether</p> <p>23 you heard from less than 10 or more than 10?</p> <p>24 A. I'd say more than 10.</p> <p>25 Q. More than 20?</p>

<p style="text-align: right;">Page 22</p> <p>1 BRENT ALLEN LARSON</p> <p>2 A. I don't know.</p> <p>3 Q. So it could have been less than 20?</p> <p>4 A. It could have been.</p> <p>5 Q. And was this a written</p> <p>6 correspondence or telephone calls or in-person</p> <p>7 discussions or what?</p> <p>8 A. A little bit of all of it. There</p> <p>9 wasn't -- written response as a text or email.</p> <p>10 Conversations face to face.</p> <p>11 Q. You said there were no written</p> <p>12 responses?</p> <p>13 A. I had text or email. I don't know</p> <p>14 what you're classifying "written." But I had</p> <p>15 text and email.</p> <p>16 Q. And your understanding is that the</p> <p>17 majority of those communications were from</p> <p>18 constituents who wanted to keep the statue at</p> <p>19 its current location?</p> <p>20 A. Yes.</p> <p>21 Q. Did you keep any records reflecting</p> <p>22 that, or was that just the sense that you got?</p> <p>23 A. The sense.</p> <p>24 Q. Did that reflect -- did the</p> <p>25 decision to keep the statue also reflect your</p>	<p style="text-align: right;">Page 23</p> <p>1 BRENT ALLEN LARSON</p> <p>2 personal views, or were you purely expressing</p> <p>3 what you understood to be the position of the</p> <p>4 majority of your constituents?</p> <p>5 A. I don't reflect my personal views</p> <p>6 at all in decisions with the county.</p> <p>7 Q. I'm sorry. Could you say the last</p> <p>8 part of that again?</p> <p>9 A. I do not reflect any personal views</p> <p>10 in my decisions. I'm not here to represent</p> <p>11 myself.</p> <p>12 Q. If you could turn to tab 10.</p> <p>13 A. Okay.</p> <p>14 Q. Exhibit 2.</p> <p>15 (Exhibit 2 was marked for</p> <p>16 identification.)</p> <p>17 BY MR. RETHY:</p> <p>18 Q. You can ignore what I say about</p> <p>19 which exhibit it will be. Just look at the tab</p> <p>20 numbers.</p> <p>21 A. Okay.</p> <p>22 Q. It's for the written transcript.</p> <p>23 So this is a document titled,</p> <p>24 Order: Amend Facility Use Policy Regarding Use</p> <p>25 of Courthouse Grounds, correct?</p>
<p style="text-align: right;">Page 24</p> <p>1 BRENT ALLEN LARSON</p> <p>2 A. Correct.</p> <p>3 Q. Are you familiar with this</p> <p>4 document?</p> <p>5 A. Yes, I am.</p> <p>6 Q. When did you first see this</p> <p>7 document?</p> <p>8 A. Right now. I mean, I saw it</p> <p>9 looking at it right now.</p> <p>10 Q. So you have never seen this</p> <p>11 document before?</p> <p>12 A. Before today?</p> <p>13 Q. Correct.</p> <p>14 A. Correct.</p> <p>15 Q. But you said you are familiar with</p> <p>16 it?</p> <p>17 A. When I was at the meeting. I'm</p> <p>18 familiar with the content.</p> <p>19 Q. So this document says, Motion was</p> <p>20 made by Larry Gillespie, duly seconded by Brent</p> <p>21 Larson, to amend the facility use policy in</p> <p>22 order to allow four people or less to use the</p> <p>23 historic courthouse outside grounds, including</p> <p>24 the area around the Confederate statue, without</p> <p>25 a permit, although said individual or group may</p>	<p style="text-align: right;">Page 25</p> <p>1 BRENT ALLEN LARSON</p> <p>2 obtain a permit in order to have exclusive use</p> <p>3 of the area. Five or more people gathering</p> <p>4 require a permit for use.</p> <p>5 And it goes on, but let's just</p> <p>6 focus on that for the moment. So this says</p> <p>7 that you seconded this motion, correct?</p> <p>8 A. That's correct.</p> <p>9 Q. And could you explain why?</p> <p>10 A. Because I agreed with the motion</p> <p>11 made by Mr. Gillespie to amend the policy.</p> <p>12 Q. And what's your understanding of</p> <p>13 the nature of the change that was made to the</p> <p>14 policy through this amendment?</p> <p>15 A. To allow four or less people to use</p> <p>16 the courthouse grounds without a permit. Four</p> <p>17 or more must have a -- or five or more to have</p> <p>18 a permit so they wouldn't block sidewalks and</p> <p>19 interfere with courthouse business.</p> <p>20 Q. So what's your understanding of</p> <p>21 what the -- so how was that a change from</p> <p>22 before? What was the policy in this regard</p> <p>23 before --</p> <p>24 (Simultaneous speakers.)</p> <p>25 A. It was all just put together from</p>



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2 previous -- the previous policy. It all just

3 came in together.

4 I'm not sure I understand any other

5 part of your question. If you could repeat

6 that. I'm not sure I actually answered the way

7 you were asking.

8 Q. Sure. So this says that five or

9 more people need a permit, basically.

10 A. Right.

11 Q. Four or less don't. And is it your

12 understanding that that -- that the four --

13 five or more people could gather without a

14 permit, or is it your understanding that,

15 before this policy, even a single person needed

16 a permit?

17 A. Before the policy, a single person

18 needed a permit.

19 Q. So it's your understanding that

20 this -- that this amendment was relaxing the

21 requirements of the previous policy?

22 A. Yes. That's correct.

23 Q. And so it's your understanding that

24 the presence of a single person on the county

25 courthouse grounds without a permit prior to

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2 A. I do.

3 Q. Could you identify that location?

4 A. Courthouse square.

5 Q. And if you turn to the third page,

6 do you recognize the location that's depicted

7 there?

8 A. Are you talking about the third

9 picture?

10 Q. Correct. It says "B-3" on the

11 bottom.

12 A. Yes. That's the courthouse lawn.

13 Q. And so you see that there's some

14 benches set up there, right?

15 A. Correct.

16 Q. And so is it your understanding

17 that prior to the permit change that we just

18 discussed, that an individual would need to

19 obtain a permit to sit on one of those benches?

20 A. I don't know.

21 Q. Well, you did say that before that

22 permit change, a single person needed to have a

23 permit to be on the courthouse grounds,

24 correct?

25 A. Correct. If they were protesting,

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2 the adoption of this amendment would violate

3 the county ordinance?

4 A. Correct.

5 Q. So how did you come to have that

6 understanding?

7 A. It was policy.

8 Q. Sorry. Could you repeat that? You

9 got a little soft.

10 A. It was policy. I'm sorry.

11 Q. But how did you come to understand

12 that that was the previous policy?

13 A. It was mentioned. That's why we

14 amended it. We talked about it in a meeting.

15 Q. So let's turn for a minute to

16 tab 44. This exhibit, which will be

17 Exhibit 3 --

18 (Exhibit 3 was marked for

19 identification.)

20 BY MR. RETHY:

21 Q. This is a series of photographs,

22 correct?

23 A. Correct.

24 Q. And do you recognize the location

25 depicted on the first page?

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2 correct. But sitting on a park bench and

3 getting up and leaving, it was -- we never

4 discussed that, but it -- technically, yes.

5 They would need to have one.

6 Q. So if you turn back for a second to

7 the last one, to the document we just

8 discussed, tab 10. So not the pictures

9 anymore, but the policy amendment.

10 A. Okay.

11 Q. So this says -- so this is phrased

12 in terms of allowing four people or less to use

13 the historic courthouse outside grounds,

14 correct?

15 A. Correct.

16 Q. And it doesn't say anything

17 specific about protesting, correct?

18 A. Correct.

19 Q. But that was -- the intent of the

20 policy was to apply it only to protesting?

21 A. No.

22 Q. So what was the intent of the

23 policy?

24 A. Well, it's in the policy. What it

25 says -- the intent of the policy was maintain

<p style="text-align: right;">Page 30</p> <p>1 BRENT ALLEN LARSON</p> <p>2 safety.</p> <p>3 Q. Where does it say that?</p> <p>4 A. The intent of the policy was -- are</p> <p>5 you talking about the amended policy? Is this</p> <p>6 the one we're looking at?</p> <p>7 Q. Yeah.</p> <p>8 A. The intent of the policy was, like</p> <p>9 you said before, to relax the policy of how</p> <p>10 many people could gather, any individual group.</p> <p>11 Just the intent of it was -- I mean, it's in</p> <p>12 the policy, what it says there.</p> <p>13 Q. So if you could turn back to the</p> <p>14 pictures, tab 44.</p> <p>15 A. Uh-huh.</p> <p>16 Q. And go back to page 3, the picture</p> <p>17 with the benches.</p> <p>18 A. Uh-huh.</p> <p>19 Q. So under this amended policy, if a</p> <p>20 group of five people walked, you know, from the</p> <p>21 square onto the courthouse grounds and sat on</p> <p>22 the benches, would they need to have a permit?</p> <p>23 A. We haven't discussed that.</p> <p>24 Q. When you say "we" --</p> <p>25 A. The board of supervisors. That</p>	<p style="text-align: right;">Page 31</p> <p>1 BRENT ALLEN LARSON</p> <p>2 hasn't come up yet.</p> <p>3 Q. So are you saying that you don't</p> <p>4 know whether or not that use requires a permit?</p> <p>5 A. That's right.</p> <p>6 Q. If a group of five people came onto</p> <p>7 the same space in order to promote a political</p> <p>8 position, would they need a permit then?</p> <p>9 A. A group of how many?</p> <p>10 Q. Five.</p> <p>11 A. Yes, they would.</p> <p>12 Q. And how would you determine whether</p> <p>13 or not something was a -- like, a political</p> <p>14 gathering as opposed to a social gathering?</p> <p>15 A. That would be determined by the</p> <p>16 county administrator in the application</p> <p>17 process.</p> <p>18 Q. But so say a group of five people</p> <p>19 comes onto the courthouse grounds, haven't</p> <p>20 applied for a permit. It seems like you're</p> <p>21 saying that if it's a social gathering, that</p> <p>22 might be okay; if it's a political gathering,</p> <p>23 it wouldn't be. Is that right?</p> <p>24 A. No.</p> <p>25 Q. Could you explain that?</p>
<p style="text-align: right;">Page 32</p> <p>1 BRENT ALLEN LARSON</p> <p>2 A. Well, a social gathering, somebody</p> <p>3 coming and leaving isn't a -- people are</p> <p>4 allowed to come and walk across the courthouse</p> <p>5 grounds. But -- and if they don't have a</p> <p>6 permit and they're staying there, that's --</p> <p>7 that would be different.</p> <p>8 Q. So explain what you mean by</p> <p>9 "staying there."</p> <p>10 A. Well, if a group of five or more</p> <p>11 wanted to express their political views and</p> <p>12 they don't have a permit, they would have to go</p> <p>13 get a permit or not be allowed to be there.</p> <p>14 Q. So say a group of five people walks</p> <p>15 from the square, sits on these benches, and</p> <p>16 they're having a conversation. And then the</p> <p>17 topic of the conversation turns to politics,</p> <p>18 and they start arguing about politics. Has</p> <p>19 their use of the square turned into something</p> <p>20 impermissible at that point because they don't</p> <p>21 have a permit?</p> <p>22 A. No.</p> <p>23 Q. And why is that?</p> <p>24 A. Because that's a conversation</p> <p>25 they're having, not a -- not an expression</p>	<p style="text-align: right;">Page 33</p> <p>1 BRENT ALLEN LARSON</p> <p>2 of -- it's just a conversation they're having.</p> <p>3 You don't have to have a permit for a</p> <p>4 conversation.</p> <p>5 Q. So how do you distinguish between a</p> <p>6 five-person permitted -- like, you know,</p> <p>7 allowed conversation and a five-person</p> <p>8 prohibited political expression or protest?</p> <p>9 A. Well, if they --</p> <p>10 MR. O'DONNELL: Object.</p> <p>11 Object to form. You can answer.</p> <p>12 A. If they -- repeat your question,</p> <p>13 please.</p> <p>14 Q. So you can have -- five people --</p> <p>15 you said, in substance, five people can come</p> <p>16 onto the courthouse grounds and have a</p> <p>17 political conversation but that five people</p> <p>18 can't come onto the courthouse grounds to</p> <p>19 engage in political expression or something of</p> <p>20 that nature, drawing a distinction between a</p> <p>21 conversation and some other form of expressive</p> <p>22 conduct that --</p> <p>23 A. If they come and leave -- if</p> <p>24 they're just having a conversation and they</p> <p>25 come and leave, they would not need a permit.</p>

<p style="text-align: right;">Page 34</p> <p>1 BRENT ALLEN LARSON</p> <p>2 If they stayed to express any political or any</p> <p>3 particular subject, they would need a permit</p> <p>4 staying on the courthouse grounds. Walking</p> <p>5 through or having a conversation, like I said,</p> <p>6 does not require a permit.</p> <p>7 Q. So what does the -- what does</p> <p>8 "staying" mean?</p> <p>9 A. You're asking me what "staying"</p> <p>10 means?</p> <p>11 Q. Yeah. It's the word you're using</p> <p>12 to say, you know, what's the -- it's like the</p> <p>13 dividing line between when you need a permit or</p> <p>14 not. If you're "staying" on the courthouse</p> <p>15 grounds, you need a permit.</p> <p>16 A. If they continue to protest.</p> <p>17 Q. So there's some element of time in</p> <p>18 that?</p> <p>19 A. Element of time is not in our</p> <p>20 policy.</p> <p>21 Q. So who decides whether something is</p> <p>22 just a conversation or whether something is a</p> <p>23 protest?</p> <p>24 A. The county administrator decides on</p> <p>25 the permit process.</p>	<p style="text-align: right;">Page 35</p> <p>1 BRENT ALLEN LARSON</p> <p>2 Q. Well, but I'm talking about no</p> <p>3 permit has been applied for, just have five</p> <p>4 people on the courthouse grounds. Who decides</p> <p>5 at that point?</p> <p>6 A. I don't know.</p> <p>7 Q. So you don't know how this facility</p> <p>8 use policy would be enforced?</p> <p>9 A. The sheriff's department.</p> <p>10 Q. So the sheriff's department would</p> <p>11 decide?</p> <p>12 A. Yes. They would decide -- they</p> <p>13 would enforce the facility use permit -- or</p> <p>14 policy, I guess you would say.</p> <p>15 Q. So the sheriff's department</p> <p>16 personnel would be tasked with deciding whether</p> <p>17 a particular use of the courthouse grounds was</p> <p>18 just a conversation or whether it amounted to a</p> <p>19 political protest?</p> <p>20 A. No.</p> <p>21 Q. So, then, who would make that</p> <p>22 decision?</p> <p>23 A. What decision? If they're having a</p> <p>24 conversation?</p> <p>25 Q. Right.</p>
<p style="text-align: right;">Page 36</p> <p>1 BRENT ALLEN LARSON</p> <p>2 A. There's no one that makes the</p> <p>3 decision what's a conversation or not. Just</p> <p>4 enforce -- the facility use policy is enforced</p> <p>5 by the sheriff's department, as I stated</p> <p>6 before.</p> <p>7 Q. Right. So what I'm getting at is,</p> <p>8 that if you have -- going back to our example,</p> <p>9 you have the five people on the courthouse</p> <p>10 grounds. Someone from the sheriff's department</p> <p>11 shows up. They know there's no permit. And so</p> <p>12 they have the authority at that point to</p> <p>13 enforce the facility use policy in some</p> <p>14 fashion; is that correct?</p> <p>15 A. Yes.</p> <p>16 Q. I'm sorry. Could you repeat that?</p> <p>17 A. Yes. Sorry.</p> <p>18 Q. And enforcing the facility use</p> <p>19 policy in that circumstance would involve</p> <p>20 making a determination whether something was</p> <p>21 just a conversation or whether it amounted to a</p> <p>22 political protest; is that correct?</p> <p>23 A. I don't know. I don't know their</p> <p>24 policies, how they determine who stays or who</p> <p>25 goes. That's something determined by the</p>	<p style="text-align: right;">Page 37</p> <p>1 BRENT ALLEN LARSON</p> <p>2 sheriff's department. We don't get involved in</p> <p>3 that.</p> <p>4 Q. But the sheriff's department is</p> <p>5 applying the board's policies, right?</p> <p>6 A. Right. We don't get involved in</p> <p>7 the enforcement of the policy. We just set the</p> <p>8 policy.</p> <p>9 Q. So you don't have any sense of what</p> <p>10 criteria the sheriff's department might use to</p> <p>11 determine whether something is a political</p> <p>12 protest or just a conversation?</p> <p>13 A. Other than what's stated in the</p> <p>14 policy, no.</p> <p>15 Q. And the policy itself doesn't</p> <p>16 differentiate between political protests and</p> <p>17 conversations, correct?</p> <p>18 A. No, it doesn't.</p> <p>19 Q. Have you ever been on the county</p> <p>20 courthouse grounds, yourself?</p> <p>21 A. I have.</p> <p>22 Q. Are you regularly on the county</p> <p>23 courthouse grounds or more infrequently?</p> <p>24 A. Infrequent.</p> <p>25 Q. When is the last time you were on</p>

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2 the county courthouse grounds?

3 A. I don't know.

4 Q. Would it have been in the last

5 month?

6 A. I don't know. I don't know when

7 the last time was.

8 Q. Would it have been within the last

9 year?

10 A. I said I didn't know.

11 Q. If you would turn to the next page

12 of the pictures, B-4. Do you recognize the

13 location depicted in this picture?

14 A. Yes, I do.

15 Q. What is that location?

16 A. I believe you can classify that as

17 the west side of the courthouse.

18 Q. So this is a picture taken from

19 within the county courthouse grounds looking

20 out onto the square; is that fair?

21 A. Yes. Yes.

22 Q. And you see that there's a low

23 fence, but there's an opening, right?

24 A. Correct.

25 Q. And there's no gates that block

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2 referring to is in front of the statue on the

3 side and, as well, in the back.

4 Q. So turn to B-20. Do you recognize

5 the location that's depicted here?

6 A. I do.

7 Q. What is that location?

8 A. In front of the courthouse.

9 Q. So would a gathering of five people

10 in this area block any sidewalks?

11 MR. O'DONNELL: Object to

12 form. You can answer.

13 A. I don't know.

14 Q. Do you know the reason why the --

15 why five people was the threshold chosen for

16 requiring a permit?

17 A. Re-ask your question, please.

18 Q. So this policy amendment we've been

19 talking about it, it says a permit's required

20 for gatherings of five people or more, correct?

21 A. Correct.

22 Q. Do you know why the number five was

23 chosen as opposed to any other number?

24 A. Because only four people can

25 actually stand around the statue or the

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2 access to the county courthouse grounds,

3 correct?

4 A. Do what?

5 Q. There are no gates that block

6 access to the county courthouse grounds,

7 correct?

8 A. That's correct.

9 Q. So I believe that you testified

10 earlier that a reason behind the five-person

11 rule, you know, permitting policy rule -- one

12 reason, at least, related to avoiding blocking

13 pedestrian traffic; is that correct?

14 A. The sidewalk.

15 Q. And can you explain what sidewalk

16 you're referring to?

17 A. The sidewalk on the outside of

18 those gates and around the courthouse.

19 Q. So if you turn to the 11th page,

20 B-11, in this set of photographs.

21 A. Okay.

22 Q. Is this the sidewalk you're

23 referring to?

24 A. The sidewalk I'm referring to, yes,

25 they cannot block those sidewalks. The one I'm

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2 monument without blocking the sidewalk, and it

3 would become a safety issue because they would

4 have to stand out in the street or on the side.

5 Q. So who made the decision that four

6 people was the maximum to stand around the

7 statue without a permit?

8 A. The county administrator.

9 Q. But the policy --

10 A. Can we break so I can get a bottle

11 of water?

12 MR. RETHY: Sure. Do you

13 want to come back at 11:05 or

14 11:10? Or, sorry, 10. I forgot

15 we're in a different time zone.

16 A. That's fine.

17 THE VIDEOGRAPHER: The time

18 is 10:01 a.m. Off the record.

19 (Recess from 10:01 a.m. to

20 10:12 a.m.)

21 THE VIDEOGRAPHER: The time

22 is 10:12 a.m. Back on the record.

23 BY MR. RETHY:

24 Q. So the next thing we'll be looking

25 at, which will be Exhibit 4, this is your tab

<p style="text-align: right;">Page 42</p> <p>1 BRENT ALLEN LARSON</p> <p>2 41.</p> <p>3 (Exhibit 4 was marked for</p> <p>4 identification.)</p> <p>5 BY MR. RETHY:</p> <p>6 Q. So this is also a photograph,</p> <p>7 correct?</p> <p>8 A. Do what?</p> <p>9 Q. This document, this is also a</p> <p>10 photograph, correct?</p> <p>11 A. Yes.</p> <p>12 Q. And do you recognize the location?</p> <p>13 A. Yes, I do.</p> <p>14 Q. What is the location?</p> <p>15 A. The front of the courthouse.</p> <p>16 Q. And is that the Confederate</p> <p>17 monument we've been referring to in the</p> <p>18 foreground?</p> <p>19 A. It is.</p> <p>20 Q. And there's a sort of a sidewalk</p> <p>21 area around the monument itself, correct?</p> <p>22 A. Correct.</p> <p>23 Q. Is that the sidewalk area that you</p> <p>24 were referring to with regard to the</p> <p>25 five-person rule?</p>	<p style="text-align: right;">Page 43</p> <p>1 BRENT ALLEN LARSON</p> <p>2 A. It's part of it. What I was</p> <p>3 referring to is the sidewalk around the</p> <p>4 courthouse. That part, as well.</p> <p>5 Q. But you had said that the county</p> <p>6 administrator had determined that five people</p> <p>7 was the -- was the right number at which point</p> <p>8 to require permits with reference to the</p> <p>9 sidewalk, so in the immediately vicinity of the</p> <p>10 Confederate monument. Is that correct, or did</p> <p>11 I misunderstand that testimony?</p> <p>12 A. No. That's correct. The county</p> <p>13 administrator did determine that on her own</p> <p>14 determination.</p> <p>15 Q. And so that was -- that</p> <p>16 determination was made with respect</p> <p>17 specifically to this sidewalk area in the</p> <p>18 immediate vicinity of the Confederate monument?</p> <p>19 A. Well, it's the whole sidewalk</p> <p>20 around the courthouse, the whole thing. You</p> <p>21 cannot block the sidewalk.</p> <p>22 Q. So if there were -- so the</p> <p>23 courthouse has, I guess, four sides, correct?</p> <p>24 A. Yes.</p> <p>25 Q. And the sidewalk goes around all</p>
<p style="text-align: right;">Page 44</p> <p>1 BRENT ALLEN LARSON</p> <p>2 four?</p> <p>3 A. Correct.</p> <p>4 Q. And so if there is a group of</p> <p>5 people protesting or, say, two people position</p> <p>6 themselves on each side of the courthouse, so</p> <p>7 for a total of eight people, that would be a</p> <p>8 use that would require a permit, because the</p> <p>9 two -- because that would block the sidewalk?</p> <p>10 A. Rephrase your question. I didn't</p> <p>11 understand that.</p> <p>12 Q. So you're saying that the</p> <p>13 justification for the five-person rule is that</p> <p>14 the presence of five people or more on any part</p> <p>15 of the sidewalk surrounding the courthouse</p> <p>16 blocks pedestrian traffic?</p> <p>17 MR. O'DONNELL: Object to the</p> <p>18 form. You can answer.</p> <p>19 A. You're asking me to speculate if</p> <p>20 five or more blocks traffic; is that correct?</p> <p>21 Q. I'm asking you to explain whether</p> <p>22 that's your understanding of the basis for this</p> <p>23 policy.</p> <p>24 A. If what's my understanding?</p> <p>25 Q. That the --</p>	<p style="text-align: right;">Page 45</p> <p>1 BRENT ALLEN LARSON</p> <p>2 A. Once again, I'm not understanding</p> <p>3 your question.</p> <p>4 Q. So what I'm trying to get at is,</p> <p>5 you said something -- and let me know if I</p> <p>6 misunderstood this --</p> <p>7 A. Okay.</p> <p>8 Q. -- to the effect that the county</p> <p>9 administrator made a decision that five people</p> <p>10 or more needed a permit based on the space</p> <p>11 immediately surrounding the Confederate</p> <p>12 monument. So that was my understanding of your</p> <p>13 first testimony on this point. Is that</p> <p>14 correct?</p> <p>15 A. Well, you can't -- I mean, you</p> <p>16 can't stand still with five or more on any part</p> <p>17 of the courthouse grounds.</p> <p>18 Q. And so that's what I'm trying to</p> <p>19 understand, then, is that if you were a group</p> <p>20 of eight people who wanted to have a protest</p> <p>21 where two people stood on each side of the</p> <p>22 courthouse, would you need a permit for that?</p> <p>23 A. So you're saying two people on each</p> <p>24 side? Two, four, six, eight?</p> <p>25 Q. Yeah.</p>

<p style="text-align: right;">Page 46</p> <p>1 BRENT ALLEN LARSON</p> <p>2 A. Then -- I'm -- you're asking me to</p> <p>3 speculate. No. If it's just two or more in</p> <p>4 one spot.</p> <p>5 Q. So how would you -- how would you</p> <p>6 define what's one spot? Like, how spread out</p> <p>7 does it have to be to no longer constitute one</p> <p>8 spot?</p> <p>9 A. Well, it's pretty easy. One spot</p> <p>10 where five or more gather, you've got to have a</p> <p>11 permit. The number one -- I mean, one spot --</p> <p>12 if there are five or more -- if there are 20</p> <p>13 people gathered, five on each side, then you've</p> <p>14 got to have a permit.</p> <p>15 Q. So let's go back to tab 44. It's</p> <p>16 the series of photographs. Go back to B-20 on</p> <p>17 this.</p> <p>18 A. B what?</p> <p>19 Q. 20.</p> <p>20 A. Okay.</p> <p>21 Q. And so this shows a series of</p> <p>22 benches on one side of the county courthouse</p> <p>23 grounds, right?</p> <p>24 A. Yes.</p> <p>25 Q. And you can see at least four</p>	<p style="text-align: right;">Page 47</p> <p>1 BRENT ALLEN LARSON</p> <p>2 benches in the picture; is that fair?</p> <p>3 A. Yes.</p> <p>4 Q. And so if you organized a protest</p> <p>5 that involved -- three people sit on each of</p> <p>6 these four benches, would that be a protest in</p> <p>7 one spot that would then require a permit?</p> <p>8 A. You're asking me to speculate on a</p> <p>9 certain situation. You know, the board of</p> <p>10 supervisors don't enforce, so I don't know.</p> <p>11 You're asking for speculation. Each case is</p> <p>12 different. I don't know. We haven't addressed</p> <p>13 that part, anyway.</p> <p>14 Q. And that's -- so you're saying that</p> <p>15 that's a decision for the sheriff to make?</p> <p>16 A. What? What decision are you asking</p> <p>17 about?</p> <p>18 Q. Whether -- whether a protest of the</p> <p>19 type that I just described would be one that</p> <p>20 would require a permit or not.</p> <p>21 A. No. It's not up to the sheriff.</p> <p>22 It's up to the county administrator.</p> <p>23 Q. Well, what if the protest is held</p> <p>24 without a permit? Then it's the -- for the</p> <p>25 sheriff to decide whether the protest --</p>
<p style="text-align: right;">Page 48</p> <p>1 BRENT ALLEN LARSON</p> <p>2 (Simultaneous speakers.)</p> <p>3 A. It's up to the sheriff's department</p> <p>4 to enforce.</p> <p>5 Q. And you don't know the criteria</p> <p>6 that they might use to make that decision</p> <p>7 whether or not to enforce?</p> <p>8 A. I do not.</p> <p>9 Q. Are you aware of any instances in</p> <p>10 which the -- in which the sheriff's department</p> <p>11 has enforced the facility use policy?</p> <p>12 A. I don't know.</p> <p>13 Q. Are you aware of any instances in</p> <p>14 which the county administrator has denied a</p> <p>15 permit application?</p> <p>16 A. I don't know.</p> <p>17 Q. Do you have an understanding of</p> <p>18 what this current lawsuit is about?</p> <p>19 A. Yes.</p> <p>20 Q. What's that understanding?</p> <p>21 A. I think Mr. Rash was wanting to</p> <p>22 have an event, and he was -- he was denied on</p> <p>23 that one, yes.</p> <p>24 Q. So you recall at least that permit</p> <p>25 having been denied?</p>	<p style="text-align: right;">Page 49</p> <p>1 BRENT ALLEN LARSON</p> <p>2 A. That's right. That is correct.</p> <p>3 Q. Were you involved in the decision</p> <p>4 to deny that permit?</p> <p>5 A. No.</p> <p>6 Q. Does the board of supervisors ever</p> <p>7 get involved in individual permit applications?</p> <p>8 A. No. Unless there's an appeal.</p> <p>9 Q. Has there ever been an appeal?</p> <p>10 A. No.</p> <p>11 Q. Has the policy always provided for</p> <p>12 an appeal?</p> <p>13 A. I don't know.</p> <p>14 Q. So let's look at tab 31. This will</p> <p>15 be Exhibit 5.</p> <p>16 (Exhibit 5 was marked for</p> <p>17 identification.)</p> <p>18 BY MR. RETHY:</p> <p>19 Q. So this is a document titled,</p> <p>20 Order: Approve Revision of Facilities Use</p> <p>21 Policy to Include a Requirement of Application</p> <p>22 To Be Made 14 Days Prior to Date of Proposed</p> <p>23 Use and Requiring Closure of Courthouse Grounds</p> <p>24 30 Minutes Before Dusk, correct?</p> <p>25 A. Right.</p>



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2 Q. And if you -- are you familiar with

3 this document?

4 A. I've never seen it before until

5 now.

6 Q. So this document reflects the board

7 of supervisors having voted on a motion,

8 correct?

9 A. Right.

10 Q. And this shows that you were

11 absent, correct?

12 A. Right.

13 Q. Do you recall why you were absent?

14 A. I was on vacation.

15 Q. Did you know prior to looking at

16 this document just now that there came to be an

17 amendment to the facilities use policy that

18 involved closure of courthouse grounds 30

19 minutes before dusk?

20 A. Rephrase your question, please.

21 Q. Were you -- are you familiar with

22 the requirement that the courthouse grounds be

23 closed 30 minutes before dusk?

24 A. Am I familiar with it? Yes.

25 Q. And when did you first become aware

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2 sun and you start running into the possibility

3 of safety concerns. The square is busy at

4 night. There's a lot of traffic around the

5 courthouse, and there's also an issue whether

6 the sheriff's department has enough personnel

7 to police the situation. With -- since there's

8 640 -- approximately 640 square miles to the

9 county, it makes it hard on the sheriff's

10 department, as well.

11 Q. So the sheriff's department has

12 less resources starting at 30 minutes before

13 dusk?

14 A. I don't know how many resources,

15 but it puts them thin. I mean, it puts a

16 stress on their department. I don't know how

17 many resources they have or don't have.

18 Q. You're saying there's a particular

19 extra stress that starts 30 minutes before

20 dusk?

21 A. Do what? You're asking me?

22 Q. Yeah.

23 A. I just said it puts a stress on

24 the -- whether or not the sheriff's department

25 has enough personnel to cover -- cover whatever

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2 of that requirement?

3 A. I don't know.

4 Q. Was it over the summer?

5 A. Yes.

6 Q. Do you recall how you learned of

7 this requirement?

8 A. I don't.

9 Q. Do you support that requirement?

10 A. I do.

11 Q. And could you explain why?

12 A. Because -- because it pulls it all

13 together, and with the 14 days prior, it gives

14 the sheriff and the county administrator time

15 to decide whether or not -- that it's not going

16 to involve safety issues and whether the

17 sheriff's department has enough personnel to

18 work a facilities use permit.

19 Q. So what about, specifically, the

20 closure 30 minutes before dusk? Do you support

21 that?

22 A. I do.

23 Q. And can you explain why?

24 A. Because, as defined -- I believe

25 "dusk" defines when there's no more glow to the

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2 it might be, whatever event that might be

3 taking place.

4 Q. Right. And I'm trying to

5 understand whether that stress is different

6 during the day versus starting 30 minutes

7 before dusk.

8 A. Yeah. There's a -- there's a lot

9 more people on the square, a lot more activity

10 going on, a lot more traffic.

11 Q. There's a lot more of that during

12 the day or during the night?

13 A. I would say -- I'm speculating --

14 during the night.

15 Q. So the actual time that is 30

16 minutes before dusk, that varies based on the

17 time of the year, correct?

18 A. Yeah. That's correct.

19 Q. And during the -- you know, during

20 the winter, 30 minutes before dusk could be

21 before 5:00 p.m., correct?

22 A. No.

23 Q. Why not?

24 A. Why not what?

25 Q. Well, I'm asking to you explain

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2 your denial that 30 minutes before dusk could

3 be before 5:00 p.m.

4 A. Well, you're asking me to --

5 rephrase that question one more time, if you

6 would.

7 Q. So do you know what time dusk is

8 today?

9 A. No.

10 Q. How would you go about learning

11 what time dusk is?

12 A. When there's no more glow from the

13 sunlight, the sun.

14 Q. So is that something that you

15 can -- is it possible to determine when dusk is

16 other than through observation at the

17 particular time?

18 A. I don't know. I don't know if you

19 can determine when dusk is by a particular

20 time.

21 Q. Could -- when -- so if it's defined

22 in terms of glow, could it be earlier if it's

23 cloudy?

24 A. I don't know. I mean, you're

25 asking me to speculate on specific -- I don't

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2 Q. Well, does that manifest in the

3 physical world in any way?

4 MR. O'DONNELL: I object to

5 the form.

6 A. Rephrase your question.

7 Q. So I'm trying to understand what

8 you mean by "closed." It's not self-evident to

9 me what that means. I mean, is there a gate

10 that closes?

11 A. No. No one is allowed on the

12 courthouse grounds.

13 Q. So -- and how is -- how are -- how

14 is that conveyed to the public?

15 A. In the policy.

16 Q. So if someone walks onto the

17 courthouse grounds 30 minutes before dusk --

18 and so this is a time when it's still -- you

19 know, it's still somewhat light, right, because

20 dusk hasn't yet occurred, won't occur 30

21 minutes more, then they're in violation of the

22 policy?

23 A. I would say so, but, I mean, we

24 haven't really -- yeah.

25 Q. And that will be the case even if

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2 know. You'll have to ask me when it's cloudy

3 one night. I don't know.

4 Q. I'm trying to get a sense of how

5 this policy can be applied, given that it's

6 framed in terms of, you know, dusk, which is

7 a -- you know, it varies under a variety of

8 conditions and it's hard to determine. You're

9 saying that you're unable to determine it

10 yourself.

11 MR. O'DONNELL: Object to

12 form. You can answer.

13 A. As I said before, dusk is when

14 there's no more glow from the sun.

15 Q. And so the policy -- so this policy

16 says that it requires closure of the courthouse

17 grounds 30 minutes before dusk, correct?

18 A. That's correct.

19 Q. What does "closure" mean?

20 A. That the courthouse grounds will be

21 closed 30 minutes before dusk.

22 Q. What does that mean in practice,

23 that they're closed?

24 A. It's closed. I mean, you know,

25 it's closed. It's pretty simple.

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2 the court -- the court itself was still open

3 for business at that time?

4 A. No. The court -- no. That's

5 not . . .

6 Q. So it's your testimony that dusk

7 always is 30 minutes after 5:00 p.m., at

8 earliest?

9 A. No. You're asking "dusk," what the

10 meaning of "dusk" is; is that right?

11 Q. Yeah.

12 A. Okay. The meaning of "dusk" is --

13 I guess this might be the fourth time -- when

14 there's no glow left in the sunlight -- in the

15 sun.

16 Q. And you're saying that there's

17 always glow left in the sky from sunlight as of

18 5:30 p.m.?

19 A. I told you before I didn't know. I

20 mean, I don't know the time. It's pretty

21 standard when -- 30 minutes before dusk.

22 Whenever dusk happens, 30 minutes before that.

23 Q. What do you mean by "it's pretty

24 standard"?

25 A. My answer.



<p style="text-align: right;">Page 58</p> <p>1 BRENT ALLEN LARSON</p> <p>2 Q. Right. But what do you mean by</p> <p>3 that answer?</p> <p>4 A. That it's pretty obvious when</p> <p>5 there's no more glow to the sun.</p> <p>6 Q. And you're saying that it's also --</p> <p>7 it's, therefore, pretty obvious when 30 minutes</p> <p>8 before that time is?</p> <p>9 A. No. I'm saying when -- dusk is</p> <p>10 when there's no more glow to the sun -- from</p> <p>11 the sun.</p> <p>12 Q. You're saying that in order to</p> <p>13 comply with this part of the policy, someone</p> <p>14 has to predict when the glow will disappear</p> <p>15 from the sky and then count back 30 minutes; is</p> <p>16 that correct?</p> <p>17 A. You're speculating there.</p> <p>18 Q. I don't believe I am.</p> <p>19 A. Can I get you -- so rephrase your</p> <p>20 question again. I'll try to give you the same</p> <p>21 answer.</p> <p>22 Q. So say it's winter; it's 5:15 p.m.</p> <p>23 A. And the days are shorter.</p> <p>24 Q. Right.</p> <p>25 A. Right.</p>	<p style="text-align: right;">Page 59</p> <p>1 BRENT ALLEN LARSON</p> <p>2 Q. So someone will come into being in</p> <p>3 violation of this policy as of 30 minutes</p> <p>4 before dusk, right?</p> <p>5 A. The policy -- it's in the policy</p> <p>6 what -- the way it reads. You know, you want</p> <p>7 to check the policy. It's in there. It</p> <p>8 explains it.</p> <p>9 Q. So I'm trying to understand how a</p> <p>10 person of ordinary intelligence can comport</p> <p>11 themselves in order to comply with this policy.</p> <p>12 And that's what my questions are focused on.</p> <p>13 And you might -- it seems like your position is</p> <p>14 that it's perfectly clear when 30 minutes</p> <p>15 before dusk is on any particular day. But I</p> <p>16 guess I don't share that belief or</p> <p>17 understanding. And so if you believe that</p> <p>18 that's perfectly clear just from the policy</p> <p>19 stating "30 minutes before dusk," I just would</p> <p>20 appreciate understanding that position better.</p> <p>21 MR. O'DONNELL: Object to the</p> <p>22 form. It's also not in the form of</p> <p>23 a question.</p> <p>24 A. Rephrase your question, if you</p> <p>25 don't mind.</p>
<p style="text-align: right;">Page 60</p> <p>1 BRENT ALLEN LARSON</p> <p>2 Q. So can you -- do you know today</p> <p>3 when 30 minutes before dusk is?</p> <p>4 A. No.</p> <p>5 Q. Will you know that 30 minutes</p> <p>6 before dusk?</p> <p>7 A. If I was obtaining a permit, I</p> <p>8 would find out.</p> <p>9 Q. And how would you do that?</p> <p>10 A. You would go check the sunset. I</p> <p>11 mean, I guess you would check when the sunset</p> <p>12 is. I don't know when you would find out. I</p> <p>13 guess that's why I'm not applying for a permit.</p> <p>14 Q. But this doesn't just apply to</p> <p>15 permits, right? This involves complete closure</p> <p>16 of the grounds, right?</p> <p>17 A. Right.</p> <p>18 Q. So a single person who's on the</p> <p>19 courthouse grounds could end up violating this</p> <p>20 policy if they happen to miscalculate when 30</p> <p>21 minutes before dusk is; is that right?</p> <p>22 A. A single person?</p> <p>23 Q. Yeah.</p> <p>24 A. No.</p> <p>25 Q. Why not?</p>	<p style="text-align: right;">Page 61</p> <p>1 BRENT ALLEN LARSON</p> <p>2 A. Because you just said "a single</p> <p>3 person."</p> <p>4 Q. So this policy doesn't apply to a</p> <p>5 single person?</p> <p>6 A. No, it does. Let me backtrack. I</p> <p>7 was talking about the permit process. Rephrase</p> <p>8 your question one more time. I got off track.</p> <p>9 Please.</p> <p>10 Q. I wish I had ordered real time for</p> <p>11 this one.</p> <p>12 MR. O'DONNELL: What?</p> <p>13 MR. RETHY: So, Court</p> <p>14 Reporter, could you read back the</p> <p>15 last question?</p> <p>16 (The court reporter read the</p> <p>17 requested portion.)</p> <p>18 A. The courthouse grounds are closed</p> <p>19 30 minutes before dusk to anyone.</p> <p>20 Q. Right. So an individual person</p> <p>21 could come into the violation of this policy if</p> <p>22 they miscalculated when 30 minutes before dusk</p> <p>23 happened to be?</p> <p>24 A. Yes.</p> <p>25 Q. And the only way a person would</p>

<p style="text-align: right;">Page 62</p> <p>1 BRENT ALLEN LARSON</p> <p>2 know that they needed to try to calculate 30</p> <p>3 minutes before dusk is if they happened to look</p> <p>4 at this particular document in the board of</p> <p>5 supervisors' minutes; is that correct?</p> <p>6 A. Yes. That's right.</p> <p>7 Q. Do you think that it's widely known</p> <p>8 in the community that this policy exists?</p> <p>9 A. Yes.</p> <p>10 Q. And how did the community gain that</p> <p>11 knowledge?</p> <p>12 A. Because anybody that's ever applied</p> <p>13 for a permit has to follow the guidelines, and</p> <p>14 people know we have guidelines.</p> <p>15 Q. But other than --</p> <p>16 A. Word of mouth.</p> <p>17 Q. Are you just speculating as to word</p> <p>18 of mouth, or do you have actual knowledge of</p> <p>19 specific conversations?</p> <p>20 A. I do not have specific knowledge of</p> <p>21 a conversation.</p> <p>22 Q. Are you aware of this policy ever</p> <p>23 having been enforced?</p> <p>24 A. Am I aware of what, now?</p> <p>25 Q. This 30-minutes-before-dusk closure</p>	<p style="text-align: right;">Page 63</p> <p>1 BRENT ALLEN LARSON</p> <p>2 policy ever having been enforced.</p> <p>3 A. I don't know.</p> <p>4 Q. Does the sheriff's department have</p> <p>5 discretion on whether or not to enforce it?</p> <p>6 A. No.</p> <p>7 Q. So the sheriff's department has to</p> <p>8 enforce it under all circumstances?</p> <p>9 A. Yes.</p> <p>10 Q. So anytime any person is on the</p> <p>11 courthouse grounds after 30 minutes before</p> <p>12 dusk, it's your position that the sheriff's</p> <p>13 department is obligated to take some sort of</p> <p>14 enforcement action against that person?</p> <p>15 A. Yeah. That's correct.</p> <p>16 Q. So this is courthouse grounds,</p> <p>17 including the Confederate statue area, correct?</p> <p>18 A. Yes.</p> <p>19 Q. So let's turn back to the tab 41,</p> <p>20 which is the photo of the statue.</p> <p>21 So what is the Confederate statue</p> <p>22 area?</p> <p>23 A. The area surrounding the statue.</p> <p>24 Q. And how far does that area extend?</p> <p>25 A. I don't know exactly.</p>
<p style="text-align: right;">Page 64</p> <p>1 BRENT ALLEN LARSON</p> <p>2 Q. So the sidewalk area that's around</p> <p>3 the statue, is that part of the Confederate</p> <p>4 statue area?</p> <p>5 A. It's part of the courthouse</p> <p>6 grounds.</p> <p>7 Q. The policy specifically mentions</p> <p>8 the Confederate statue area too, right?</p> <p>9 A. Repeat your question.</p> <p>10 Q. The policy mentions both the</p> <p>11 courthouse grounds and the Confederate statue</p> <p>12 area, right?</p> <p>13 A. Yes.</p> <p>14 Q. So is the -- is the sidewalk right</p> <p>15 around the Confederate statue part of the</p> <p>16 Confederate statue area?</p> <p>17 A. I don't know. I mean, it -- the</p> <p>18 sidewalk beside it is part of the Confederate</p> <p>19 monument.</p> <p>20 Q. Walking on that sidewalk after 30</p> <p>21 minutes before dusk is a violation?</p> <p>22 A. Yes. That's part of the courthouse</p> <p>23 grounds.</p> <p>24 Q. And if you turn back to the</p> <p>25 composite photographs at tab 44, if you go to</p>	<p style="text-align: right;">Page 65</p> <p>1 BRENT ALLEN LARSON</p> <p>2 B-2.</p> <p>3 Is walking on this sidewalk after</p> <p>4 30 minutes before dusk a violation?</p> <p>5 A. That's part of the courthouse</p> <p>6 grounds, yes.</p> <p>7 Q. So is walking on that part of the</p> <p>8 sidewalk a violation 30 minutes before dusk?</p> <p>9 A. Walking?</p> <p>10 Q. Yes.</p> <p>11 A. I don't know.</p> <p>12 Q. So is walking potentially not a</p> <p>13 violation, whereas standing is?</p> <p>14 A. No.</p> <p>15 Q. So is this sidewalk part of the</p> <p>16 courthouse grounds?</p> <p>17 A. This sidewalk is part of the</p> <p>18 courthouse grounds.</p> <p>19 Q. And so the policy provides that</p> <p>20 this sidewalk is closed 30 minutes before dusk,</p> <p>21 correct?</p> <p>22 A. I don't know.</p> <p>23 Q. So how would you -- how would you</p> <p>24 go about figuring out whether the sidewalk was</p> <p>25 closed or not?</p>

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2 A. That would -- that would be

3 enforced by the sheriff's department.

4 Q. But by the literal terms of the

5 policy, the sidewalk would be closed?

6 A. I don't know.

7 Q. But it is part of the courthouse

8 grounds?

9 A. Yes.

10 Q. And the policy does say it requires

11 closure of the courthouse grounds, right?

12 A. No.

13 Q. And there's no exception for

14 sidewalks?

15 A. I don't know about the sidewalk. I

16 don't know.

17 Q. You're saying there might be an

18 unwritten exception?

19 A. No. That's not what I'm saying. I

20 just said I don't know.

21 Q. So does the board of supervisors

22 have responsibility for the sheriff's

23 department's budget?

24 A. For the budget, yes.

25 Q. And has the sheriff ever asked for

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2 budget.

3 Q. Has the sheriff, to your knowledge,

4 ever mentioned a need for additional funding?

5 A. Yes.

6 Q. Could you describe that?

7 A. For repairs of the jail, for

8 expansion of the sheriff's office.

9 Q. So I'm going to turn to tab 9.

10 This is now Exhibit 6.

11 (Exhibit 6 was marked for

12 identification.)

13 BY MR. RETHY:

14 Q. So this is an email titled, Statue,

15 and sent by someone named Janice Antonow,

16 correct?

17 A. Yes.

18 Q. And did you receive this email?

19 A. Yes.

20 Q. Do you recall receiving this email?

21 A. No.

22 Q. Do you know who Janice Antonow is?

23 A. I do.

24 Q. Who is she?

25 A. She is a alderman for the City of

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2 additional funding to deal with issues related

3 to the county courthouse grounds?

4 A. Not that I'm aware of.

5 Q. And is it your view that the

6 sheriff's department is underfunded?

7 A. I don't know. That's a question

8 for the sheriff, not me.

9 Q. Well, what role do you play in

10 the -- in setting the sheriff's budget?

11 A. Setting the budget.

12 Q. But what do you consider when

13 determining how to set the budget?

14 A. How do we set the budget? We

15 approve it or not. He comes to us with a

16 budget, and we either approve it or not.

17 Q. And how do you determine whether to

18 approve it or not?

19 A. We look at every line item and see

20 if it's needed.

21 Q. And can you disapprove specific

22 line items?

23 A. Yes.

24 Q. And have you done that?

25 A. No. I've only been through one

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2 Oxford.

3 Q. I'm sorry. Could you repeat that?

4 A. She is a alderman for the City of

5 Oxford.

6 Q. Is she a constituent of yours?

7 A. No.

8 Q. Does your district cover the City

9 of Oxford?

10 A. Part of it.

11 Q. But you know that it's not the part

12 where this individual resides?

13 A. I don't believe so. I don't

14 believe it is, unless she's moved.

15 Q. If you look at the second paragraph

16 of this email, it says, One of the issues that

17 citizens have brought to me involves the

18 Confederate statue in front of the courthouse.

19 When asked, I let them know that it's the

20 property of Lafayette County, not the City of

21 Oxford. I also tell them that because it is

22 hurtful to so many of our citizens, black and

23 white, I would like it gone.

24 So when you received this email,

25 would you have read it?

<p style="text-align: right;">Page 70</p> <p>1 BRENT ALLEN LARSON</p> <p>2 A. Yes.</p> <p>3 Q. And would you have taken this email</p> <p>4 into consideration when deciding whether or not</p> <p>5 to vote for moving the statue?</p> <p>6 A. I would have taken it into</p> <p>7 consideration, yes. But if a person is not in</p> <p>8 my district -- I rely more on people that are</p> <p>9 in my district than outside of my district,</p> <p>10 because I represent the citizens of district 1.</p> <p>11 Q. So when you get an email from a</p> <p>12 member of the public, would you be able to</p> <p>13 determine from the -- you know, from the name</p> <p>14 of the author whether they were a constituent</p> <p>15 of yours or not?</p> <p>16 A. Most of the time. I might look it</p> <p>17 up.</p> <p>18 Q. Is that because you know most of</p> <p>19 these people personally?</p> <p>20 A. Yeah, most -- are you talking about</p> <p>21 in district 1?</p> <p>22 Q. But I'm talking about in general,</p> <p>23 you know, to know whether or not someone is in</p> <p>24 district 1?</p> <p>25 A. I know -- I know a lot of the</p>	<p style="text-align: right;">Page 71</p> <p>1 BRENT ALLEN LARSON</p> <p>2 people here.</p> <p>3 Q. Do you agree that the Confederate</p> <p>4 monument is hurtful to many of the citizens of</p> <p>5 the county?</p> <p>6 A. They say it is. I can only go by</p> <p>7 what they say.</p> <p>8 Q. If you look at the next paragraph,</p> <p>9 it says, Besides being offensive to many</p> <p>10 citizens, the statue in its present location</p> <p>11 will always serve as a magnet for protests, pro</p> <p>12 or con, and will continue to strain our</p> <p>13 resources that could be better used for more</p> <p>14 positive events.</p> <p>15 So do you agree that the statue is</p> <p>16 a magnet for protests?</p> <p>17 A. That's -- no, not necessarily. I</p> <p>18 wouldn't call it a magnet. It might be a place</p> <p>19 for protest.</p> <p>20 Q. Do you agree that the statue being</p> <p>21 kept in its present location strains resources?</p> <p>22 A. I don't know. I'm sure -- I'm sure</p> <p>23 it does, though, you know, when law enforcement</p> <p>24 has to -- extra law enforcement might have to</p> <p>25 be called in, you know. I don't know if you</p>
<p style="text-align: right;">Page 72</p> <p>1 BRENT ALLEN LARSON</p> <p>2 can call it a strain, but more resources, more</p> <p>3 money, has to be spent during a protest. More</p> <p>4 personnel, more money.</p> <p>5 Q. Did you consider those impacts when</p> <p>6 deciding how to vote on keeping or moving the</p> <p>7 statue?</p> <p>8 A. Say that again.</p> <p>9 Q. Did you consider that resource</p> <p>10 strain when deciding how to vote on keeping or</p> <p>11 moving the statue?</p> <p>12 A. No.</p> <p>13 Q. Why not?</p> <p>14 A. I don't know. I just didn't.</p> <p>15 Q. So if you could turn to tab 13,</p> <p>16 Exhibit 7.</p> <p>17 (Exhibit 7 was marked for</p> <p>18 identification.)</p> <p>19 MR. O'DONNELL: Is there a</p> <p>20 question, Isaac?</p> <p>21 MR. RETHY: Not yet. I'm</p> <p>22 just waiting for the document to</p> <p>23 load.</p> <p>24 BY MR. RETHY:</p> <p>25 Q. This is an email from Ann Conerly</p>	<p style="text-align: right;">Page 73</p> <p>1 BRENT ALLEN LARSON</p> <p>2 titled, Confederate Statue, correct?</p> <p>3 A. Is it on the back, I'm assuming?</p> <p>4 Q. Yeah.</p> <p>5 A. No.</p> <p>6 MR. O'DONNELL: Tab 30?</p> <p>7 MR. RETHY: 13.</p> <p>8 A. No. That's from April Hughes?</p> <p>9 Oh, Ann Conerly.</p> <p>10 Q. Sorry. You're correct. It's from</p> <p>11 April Hughes. The header says, Ann Conerly,</p> <p>12 for whatever reason.</p> <p>13 Do you know who Ann Conerly is?</p> <p>14 A. No.</p> <p>15 Q. Do you know who April Hughes is?</p> <p>16 A. No.</p> <p>17 Q. So do you know who Lindsey Hughes</p> <p>18 is, which is the --</p> <p>19 A. No.</p> <p>20 (Simultaneous speakers.)</p> <p>21 BY MR. RETHY:</p> <p>22 Q. Lindsey Hughes?</p> <p>23 A. No.</p> <p>24 Q. And is Taylor, Mississippi, within</p> <p>25 Lafayette County?</p>

<p style="text-align: right;">Page 74</p> <p>1 BRENT ALLEN LARSON</p> <p>2 A. Yes.</p> <p>3 Q. Is it in your district?</p> <p>4 A. No.</p> <p>5 Q. If you look at the third paragraph</p> <p>6 of this email -- and I guess, just to start, if</p> <p>7 you look at the header, you see this was sent</p> <p>8 Monday, June 15, 2020? And do you see that</p> <p>9 you're included as a recipient here, correct?</p> <p>10 A. Right.</p> <p>11 Q. And if you look at the third</p> <p>12 paragraph, it says, I'm disappointed in the</p> <p>13 actions of our sheriff this past week by</p> <p>14 barricading public property so that people</p> <p>15 could not peacefully protest there.</p> <p>16 Do you know what the author is</p> <p>17 referring to?</p> <p>18 A. No.</p> <p>19 Q. But do you have any recollection of</p> <p>20 the Confederate statue having been barricaded</p> <p>21 or blockaded in any way over the summer?</p> <p>22 A. Yes.</p> <p>23 Q. And what's your recollection of</p> <p>24 that?</p> <p>25 A. That it had been barricaded.</p>	<p style="text-align: right;">Page 75</p> <p>1 BRENT ALLEN LARSON</p> <p>2 Q. Do you recall approximately when?</p> <p>3 A. I don't.</p> <p>4 Q. And do you recall why it was</p> <p>5 barricaded?</p> <p>6 A. I believe it was to protect the</p> <p>7 statue maybe. Pure speculation.</p> <p>8 Q. So the sheriff made a decision to</p> <p>9 barricade it?</p> <p>10 A. Yes.</p> <p>11 Q. Did the sheriff consult with the</p> <p>12 board of supervisors on that?</p> <p>13 A. No. We have no authority over the</p> <p>14 sheriff except for setting the budget.</p> <p>15 Q. Let's look at tab 27, Exhibit 8.</p> <p>16 (Exhibit 8 was marked for</p> <p>17 identification.)</p> <p>18 BY MR. RETHY:</p> <p>19 Q. So you see that this is an email</p> <p>20 that you forwarded to Lisa Carwyle on</p> <p>21 July 17th?</p> <p>22 A. Yes.</p> <p>23 Q. Do you recall why you forwarded</p> <p>24 that email?</p> <p>25 A. It was requested.</p>
<p style="text-align: right;">Page 76</p> <p>1 BRENT ALLEN LARSON</p> <p>2 Q. Do you know why it was requested?</p> <p>3 A. No.</p> <p>4 Q. The original email was sent by</p> <p>5 someone named Catarina Passidomo, correct?</p> <p>6 A. Yes.</p> <p>7 Q. And is that person one of your</p> <p>8 constituents?</p> <p>9 A. I don't know.</p> <p>10 Q. Do you know of this person at all?</p> <p>11 A. No. I never heard of her.</p> <p>12 Q. So you have no idea why she wrote</p> <p>13 directly to you?</p> <p>14 A. I don't know why, other than I'm a</p> <p>15 supervisor.</p> <p>16 Q. Did you respond to this email?</p> <p>17 A. No. It doesn't look like it.</p> <p>18 MR. RETHY: Can we take a</p> <p>19 five-minute break?</p> <p>20 MR. O'DONNELL: Yeah. That</p> <p>21 would be fine.</p> <p>22 THE VIDEOGRAPHER: The time</p> <p>23 is 11:11 a.m. Off the record.</p> <p>24 (Recess from 11:11 a.m. to</p> <p>25 11:20 a.m.)</p>	<p style="text-align: right;">Page 77</p> <p>1 BRENT ALLEN LARSON</p> <p>2 THE VIDEOGRAPHER: The time</p> <p>3 is 11:20 a.m. Back on the record.</p> <p>4 BY MR. RETHY:</p> <p>5 Q. If you could turn to tab 42. This</p> <p>6 will be, I think, Exhibit 9.</p> <p>7 (Exhibit 9 was marked for</p> <p>8 identification.)</p> <p>9 BY MR. RETHY:</p> <p>10 Q. So this is also a photograph. And</p> <p>11 it looks like it was taken from a Facebook post</p> <p>12 or something of the sort; is that fair?</p> <p>13 A. Yes.</p> <p>14 Q. And could you describe what the</p> <p>15 photograph is depicting?</p> <p>16 A. The monument.</p> <p>17 Q. And what else?</p> <p>18 A. People gathered around it.</p> <p>19 Q. And they have, like a football</p> <p>20 goalpost with them, correct?</p> <p>21 A. Correct.</p> <p>22 Q. Do you recall this gathering?</p> <p>23 A. I do not.</p> <p>24 Q. So do you have an understanding of</p> <p>25 the circumstances of this gathering?</p>

<p style="text-align: right;">Page 78</p> <p>1 BRENT ALLEN LARSON</p> <p>2 A. I'm just going to assume that we</p> <p>3 won a football game.</p> <p>4 Q. Would this be authorized under the</p> <p>5 current policy?</p> <p>6 A. No.</p> <p>7 Q. If you turn to tab 43, Exhibit 10.</p> <p>8 (Exhibit 10 was marked for</p> <p>9 identification.)</p> <p>10 BY MR. RETHY:</p> <p>11 Q. And so this is another photograph,</p> <p>12 correct?</p> <p>13 A. Correct.</p> <p>14 Q. And this shows the Confederate</p> <p>15 monument with the projected words, "Take it</p> <p>16 down" on it, correct?</p> <p>17 A. Correct.</p> <p>18 Q. And do you recall this projection</p> <p>19 having been made at some point over the course</p> <p>20 of the past year?</p> <p>21 A. No.</p> <p>22 Q. Do you have a view as to whether</p> <p>23 this projection would violate the current</p> <p>24 policy?</p> <p>25 A. I guess it just depends on what</p>	<p style="text-align: right;">Page 79</p> <p>1 BRENT ALLEN LARSON</p> <p>2 time of day it is. It looks dark. Pure</p> <p>3 speculation. It looks like it would be in</p> <p>4 violation to me.</p> <p>5 Q. Would it depend on where the images</p> <p>6 were being projected from?</p> <p>7 A. I don't know.</p> <p>8 Q. For instance, if it was being</p> <p>9 projected from some distance away, you know,</p> <p>10 from city property?</p> <p>11 A. I don't know.</p> <p>12 Q. If you could turn to tab 34.</p> <p>13 (Exhibit 11 was marked for</p> <p>14 identification.)</p> <p>15 (Exhibit 12 was marked for</p> <p>16 identification.)</p> <p>17 BY MR. RETHY:</p> <p>18 Q. And this is a composite document.</p> <p>19 I think there should be something like a blue</p> <p>20 sheet separating an email and then some</p> <p>21 letters; is that correct?</p> <p>22 A. Yes. That's correct.</p> <p>23 Q. And so this will be Exhibits 11 and</p> <p>24 12.</p> <p>25 So you see the email or the email</p>
<p style="text-align: right;">Page 80</p> <p>1 BRENT ALLEN LARSON</p> <p>2 thread. So this starts with an email from the</p> <p>3 sheriff to the board of supervisors, correct?</p> <p>4 A. Correct.</p> <p>5 Q. And the subject of the email is</p> <p>6 letters sent to various Oxford and University</p> <p>7 of Mississippi officials regarding events that</p> <p>8 took place on August 28th; is that fair?</p> <p>9 A. Yes, it is.</p> <p>10 Q. Now, the sheriff says that he would</p> <p>11 imagine that each of you have had your share of</p> <p>12 phone calls concerning those events and have</p> <p>13 your own concerns about what took place on the</p> <p>14 courthouse grounds.</p> <p>15 Do you see that?</p> <p>16 A. No. Where is that?</p> <p>17 Q. It's in the sheriff's email,</p> <p>18 just --</p> <p>19 A. I got it. I'm with you.</p> <p>20 Q. So is that correct? Did you have</p> <p>21 phone calls regarding events on August 28,</p> <p>22 2020?</p> <p>23 A. I didn't.</p> <p>24 Q. And what's your understanding of</p> <p>25 what the sheriff is referring to in terms of</p>	<p style="text-align: right;">Page 81</p> <p>1 BRENT ALLEN LARSON</p> <p>2 those events?</p> <p>3 A. The Ole Miss football team march.</p> <p>4 Q. And did you have concerns about</p> <p>5 that march?</p> <p>6 A. I did.</p> <p>7 Q. What was the nature of those</p> <p>8 concerns?</p> <p>9 A. Number one, it was unannounced.</p> <p>10 There wasn't proper time for law enforcement to</p> <p>11 prepare for it. There were people out in the</p> <p>12 street once they got -- or, actually, they</p> <p>13 marched from the university to the square and,</p> <p>14 of course, took up road space, which is a</p> <p>15 hazard in itself when it's unannounced. And</p> <p>16 then when they got to the square, the monument,</p> <p>17 they were out in the street, as well. So</p> <p>18 there's a safety issue all the way through.</p> <p>19 Q. The streets of the Oxford town</p> <p>20 square -- so the streets that surround the</p> <p>21 courthouse grounds -- are those city or county</p> <p>22 jurisdiction?</p> <p>23 A. City.</p> <p>24 Q. And so what role does the county</p> <p>25 play with respect to traffic-safety issues</p>



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2 related to those streets?

3 A. Technically, none, but the -- they

4 can assist on a unannounced venue like this.

5 Now, whether they did or not, I don't know.

6 Q. But traffic-safety issues are

7 the -- on those streets are primarily the

8 responsibility of the City of Oxford, correct?

9 A. Correct.

10 Q. And so beyond -- so did you have

11 concerns regarding this march beyond traffic

12 safety concerns?

13 A. Yes.

14 Q. And what were those concerns,

15 specifically?

16 A. There was a nonpermitted march in

17 violation of the permit -- of a permit, if it

18 was issued. There was violations of our policy

19 and no permit was achieved.

20 Q. So your concerns were that the

21 required procedures weren't followed?

22 A. Correct.

23 Q. And so you responded to the

24 sheriff's email, correct?

25 A. Yes.

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2 was nothing taking a toll on you personally?

3 A. Right.

4 Q. So do you have a sense of what

5 Mr. Rikard meant when he wrote that?

6 A. Do what, now?

7 Q. Do you have a sense of what

8 Mr. Rikard meant in sending that email?

9 A. No, I don't know. I don't know

10 who -- other than taking a toll on the law

11 enforcement of having to take extra time to --

12 to do their job on the statue -- on the

13 monument.

14 Q. So if you turn to the letters

15 behind the slip sheet.

16 A. Do what, now?

17 Q. So behind the email, there's some

18 letters, right -- just moving on to the

19 letters. And first, there's a letter to Mayor

20 Tannehill, correct?

21 A. Correct.

22 Q. And did you review this letter

23 prior to today?

24 A. Yeah. I've scanned through it.

25 Q. And so you reviewed it -- when the

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2 Q. And you said, That's excellent,

3 Joey. I appreciate you taking the facts

4 directly to all parties involved. We stand

5 with you all the way.

6 And what did you mean saying,

7 taking the facts directly to all parties

8 involved?

9 A. Taking the facts to the chancellor,

10 the athletic director, and the mayor of the

11 City of Oxford.

12 Q. And what purpose did you believe

13 that served?

14 A. What, now?

15 Q. What purpose do you believe it

16 served to take those facts to those parties?

17 A. Because of the violation that

18 occurred.

19 Q. And so then David Rikard responds

20 and says, Thank you, Sheriff. I know this is

21 taking a toll on all of us.

22 Do you agree with that statement?

23 A. I don't know what he's referring to

24 there.

25 Q. So as far as you were aware, there

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2 sheriff sent this email, you also reviewed the

3 attachments to these?

4 A. Yes. Yeah.

5 Q. And you see in the second

6 paragraph, the sheriff writes, It's very

7 concerning that the City of Oxford's mayor

8 would not notify anyone with the Oxford Police

9 Department, much less anyone at the Lafayette

10 County Sheriff's Department that approximately

11 120 emotionally charged grown men would be

12 marching and protesting upon City of Oxford

13 streets and on the Lafayette County Courthouse

14 grounds.

15 Do you see that?

16 A. I do.

17 Q. And do you agree that -- with the

18 sheriff that that's concerning?

19 A. Absolutely.

20 Q. And could you explain why?

21 A. Well, the facts speak for

22 themselves, that 120 emotionally charged grown

23 men were marching without any notice or -- any

24 notice whatsoever so the city and the county

25 law enforcement could prepare for it -- prepare

<p style="text-align: right;">Page 86</p> <p>1 BRENT ALLEN LARSON</p> <p>2 correctly for it.</p> <p>3 Q. And if you'll look at the next</p> <p>4 page, this is a letter from Mayor Tannehill to</p> <p>5 Sheriff East, correct?</p> <p>6 A. Yes.</p> <p>7 Q. Have you seen this letter before?</p> <p>8 A. No.</p> <p>9 Q. So do you have any sense of what</p> <p>10 Mayor Tannehill might have meant in telling</p> <p>11 Sheriff East that his information is simply not</p> <p>12 correct?</p> <p>13 A. I don't know what you mean.</p> <p>14 Q. If you could turn to the next page.</p> <p>15 And this is a letter from Sheriff East to the</p> <p>16 University of Mississippi administrators,</p> <p>17 correct?</p> <p>18 A. That's correct.</p> <p>19 Q. And have you seen this letter</p> <p>20 before?</p> <p>21 A. Yes.</p> <p>22 Q. And you saw this letter before</p> <p>23 because it was attached to Sheriff East's</p> <p>24 email?</p> <p>25 A. Correct.</p>	<p style="text-align: right;">Page 87</p> <p>1 BRENT ALLEN LARSON</p> <p>2 Q. And if you just go down to the --</p> <p>3 this page 2 of this letter, second-to-last</p> <p>4 paragraph, you see it says, The Lafayette</p> <p>5 County Sheriff's Department is requesting that</p> <p>6 the cost for all dedicated personnel hours for</p> <p>7 both on-duty and off-duty (overtime) personnel</p> <p>8 be paid by the University of Mississippi. (See</p> <p>9 attached for hours.)</p> <p>10 Correct?</p> <p>11 A. Correct.</p> <p>12 Q. Do you know under what</p> <p>13 circumstances the sheriff is entitled to charge</p> <p>14 members of the public directly for law</p> <p>15 enforcement time?</p> <p>16 A. I don't know.</p> <p>17 Q. Do you know whether -- if the</p> <p>18 sheriff's department makes such a request --</p> <p>19 whether a member of the public is legally</p> <p>20 obligated to comply with it?</p> <p>21 A. I don't know.</p> <p>22 Q. When you read this, did the fact</p> <p>23 that the sheriff was seeking to charge the</p> <p>24 university for the officers' time, did that</p> <p>25 present any concerns to you?</p>
<p style="text-align: right;">Page 88</p> <p>1 BRENT ALLEN LARSON</p> <p>2 A. None. Concerns about what?</p> <p>3 Q. Whether it's appropriate for law</p> <p>4 enforcement to charge members of the public</p> <p>5 directly for their time.</p> <p>6 A. I had no concerns whatsoever.</p> <p>7 Q. Are you aware of any other</p> <p>8 instances in which the sheriff's department</p> <p>9 charged members of the public directly for</p> <p>10 officers' time?</p> <p>11 A. No.</p> <p>12 Q. Did this seem unusual to you?</p> <p>13 A. No.</p> <p>14 MR. RETHY: So, David, did</p> <p>15 you see the email I sent you?</p> <p>16 MR. O'DONNELL: I did. I</p> <p>17 sent an email back. I'd be happy</p> <p>18 to print them off, Isaac. Do you</p> <p>19 want me to do that?</p> <p>20 MR. RETHY: Yeah. If you</p> <p>21 could, that would be great.</p> <p>22 MR. O'DONNELL: Okay. Give</p> <p>23 me a couple minutes.</p> <p>24 MR. RETHY: Let's go off the</p> <p>25 record very briefly while he's</p>	<p style="text-align: right;">Page 89</p> <p>1 BRENT ALLEN LARSON</p> <p>2 printing that.</p> <p>3 THE VIDEOGRAPHER: The time</p> <p>4 is 11:41 a.m. Off the record.</p> <p>5 (Recess from 11:41 a.m. to</p> <p>6 11:49 a.m.)</p> <p>7 THE VIDEOGRAPHER: The time</p> <p>8 is 11:49 a.m. Back on the record.</p> <p>9 BY MR. RETHY:</p> <p>10 Q. So I had two documents printed just</p> <p>11 to get clarity as to what these are, you know,</p> <p>12 because they're not, sort of, conventionally</p> <p>13 produced documents.</p> <p>14 The first document is titled,</p> <p>15 Facility Use Policy Effective Date: July 20,</p> <p>16 2020. And this was a document that was</p> <p>17 produced by counsel for defendant by email</p> <p>18 yesterday. It's in the form of a Word</p> <p>19 document. And counsel for the defendant</p> <p>20 represented that this was a, sort of, revision</p> <p>21 of the policy that was adopted by the board at</p> <p>22 its January 4, 2021 meeting.</p> <p>23 MR. RETHY: David, do you</p> <p>24 disagree with any of that?</p> <p>25 MR. O'DONNELL: Well, it was</p>



<p style="text-align: right;">Page 90</p> <p>1 BRENT ALLEN LARSON</p> <p>2 a document that was approved based</p> <p>3 on prior revisions, yes.</p> <p>4 BY MR. RETHY:</p> <p>5 Q. Okay. And then the second document</p> <p>6 is a -- which I'm adding now -- is a redline</p> <p>7 comparison that I ran between the document sent</p> <p>8 by Mr. O'Donnell yesterday and the 2019 version</p> <p>9 of the policy. And, you know, if there's</p> <p>10 objections to using this document, let me know,</p> <p>11 and we can just compare the -- you know, the</p> <p>12 2019 and 2020 policies manually. I just</p> <p>13 thought that this -- you know, this redline</p> <p>14 comparison made it easier.</p> <p>15 MR. O'DONNELL: That's fine.</p> <p>16 I would have done that for you if I</p> <p>17 had been asked. That's fine.</p> <p>18 (Exhibit 13 was marked for</p> <p>19 identification.)</p> <p>20 (Exhibit 14 was marked for</p> <p>21 identification.)</p> <p>22 BY MR. RETHY:</p> <p>23 Q. So back to you, Mr. Larson. So</p> <p>24 regarding the document titled, Facility Use</p> <p>25 Policy Effective Date: July 20, 2020, are you</p>	<p style="text-align: right;">Page 91</p> <p>1 BRENT ALLEN LARSON</p> <p>2 familiar with this document?</p> <p>3 A. Yes. Yes.</p> <p>4 Q. Sorry. Could you repeat that?</p> <p>5 A. Yes.</p> <p>6 Q. And when did you first encounter</p> <p>7 this document?</p> <p>8 A. I don't know.</p> <p>9 Q. And is it fair to say that this is</p> <p>10 a version of the facility use policy that was</p> <p>11 adopted at the board's January 4, 2021,</p> <p>12 meeting?</p> <p>13 A. I don't remember.</p> <p>14 Q. Do you recall the board considering</p> <p>15 or taking any action with respect to this</p> <p>16 document?</p> <p>17 A. Yes.</p> <p>18 Q. And what's the nature of your</p> <p>19 recollection?</p> <p>20 A. I just remember the content. But</p> <p>21 when, I don't know.</p> <p>22 Q. Was it recently?</p> <p>23 A. It was back in the summer sometime.</p> <p>24 I don't have any problem believing it was the</p> <p>25 dates on there.</p>
<p style="text-align: right;">Page 92</p> <p>1 BRENT ALLEN LARSON</p> <p>2 MR. O'DONNELL: I think the</p> <p>3 witness is confused.</p> <p>4 THE WITNESS: Do what?</p> <p>5 MR. O'DONNELL: It's okay.</p> <p>6 That's my commentary.</p> <p>7 But I think what Isaac is</p> <p>8 asking is, although the document</p> <p>9 relates to revisions in July -- I</p> <p>10 think, in July -- when was that</p> <p>11 particular document in front of</p> <p>12 you -- when was that drafted and</p> <p>13 approved by the board?</p> <p>14 THE WITNESS: July.</p> <p>15 MR. O'DONNELL: Okay.</p> <p>16 THE WITNESS: July the -- was</p> <p>17 it July the 20th? Effective date.</p> <p>18 MR. O'DONNELL: Isaac, I</p> <p>19 don't want to interfere with your</p> <p>20 exam.</p> <p>21 MR. RETHY: I mean, so far,</p> <p>22 that's where I'm trying to go.</p> <p>23 But --</p> <p>24 THE WITNESS: This one?</p> <p>25 MR. O'DONNELL: Yeah. The --</p>	<p style="text-align: right;">Page 93</p> <p>1 BRENT ALLEN LARSON</p> <p>2 THE WITNESS: The final?</p> <p>3 MR. O'DONNELL: I think I can</p> <p>4 clarify, if you let me. But it's</p> <p>5 your exam, so --</p> <p>6 (Simultaneous speakers.)</p> <p>7 MR. RETHY: Feel free to</p> <p>8 clarify.</p> <p>9 MR. O'DONNELL: What was</p> <p>10 that? I didn't catch that.</p> <p>11 MR. RETHY: I said, please do</p> <p>12 clarify if you feel you can.</p> <p>13 MR. O'DONNELL: Mr. Larson,</p> <p>14 at the board's last meeting in</p> <p>15 January of 2021, did the board</p> <p>16 consider approving a document that</p> <p>17 you have in front of you?</p> <p>18 THE WITNESS: Yes.</p> <p>19 MR. O'DONNELL: Okay. And</p> <p>20 what was the -- what was the</p> <p>21 purpose of the board approving the</p> <p>22 document that -- I think that we</p> <p>23 have marked down as Exhibit 13.</p> <p>24 THE WITNESS: To culminate</p> <p>25 everything into one document so</p>

<p style="text-align: right;">Page 94</p> <p>1 BRENT ALLEN LARSON</p> <p>2 that we would just have one</p> <p>3 document from all the revisions.</p> <p>4 MR. O'DONNELL: Okay.</p> <p>5 MR. RETHY: Okay. Got it.</p> <p>6 MR. O'DONNELL: Okay. So you</p> <p>7 can go from there.</p> <p>8 BY MR. RETHY:</p> <p>9 Q. So were you involved in drafting</p> <p>10 this particular document?</p> <p>11 A. No.</p> <p>12 Q. Do you know who was responsible for</p> <p>13 drafting it?</p> <p>14 A. Lisa -- the county administrator.</p> <p>15 Q. And did you -- and when this was</p> <p>16 adopted, did the board of supervisors consider</p> <p>17 each of the changes that had been made?</p> <p>18 A. Yes.</p> <p>19 Q. So let's turn to the comparison</p> <p>20 document, tab 14 -- not tab, but Exhibit 14,</p> <p>21 the second printed document.</p> <p>22 MR. O'DONNELL: Is that the</p> <p>23 redline?</p> <p>24 MR. RETHY: Yeah.</p> <p>25 ///</p>	<p style="text-align: right;">Page 95</p> <p>1 BRENT ALLEN LARSON</p> <p>2 BY MR. RETHY:</p> <p>3 Q. And so you wouldn't have seen this</p> <p>4 particular document before. But did you, in</p> <p>5 the course of approving this latest overall</p> <p>6 policy document, did you review a similar</p> <p>7 comparison between the 2020 and 2019 policies?</p> <p>8 A. Yes.</p> <p>9 Q. And so if you go down to the second</p> <p>10 page in the definitions section, you'll see</p> <p>11 that the word -- the phrase "arts</p> <p>12 organizations" is struck, correct?</p> <p>13 A. Correct.</p> <p>14 Q. And do you understand why that was</p> <p>15 struck?</p> <p>16 A. I don't.</p> <p>17 Q. So did the board discuss that</p> <p>18 language having been struck when adopting</p> <p>19 this --</p> <p>20 (Simultaneous speakers.)</p> <p>21 A. I don't remember.</p> <p>22 Q. Could you repeat your answer?</p> <p>23 A. I'm sorry. I don't remember.</p> <p>24 Q. Do you have a view as to whether an</p> <p>25 arts organization should count as a nonprofit</p>
<p style="text-align: right;">Page 96</p> <p>1 BRENT ALLEN LARSON</p> <p>2 citizen group?</p> <p>3 A. I don't know. I don't know.</p> <p>4 Q. And so this -- so the limitation</p> <p>5 applicable, you know, where nonprofit citizen</p> <p>6 groups -- where arts organizations no longer</p> <p>7 count, that wasn't part of any policy until</p> <p>8 this new policy was adopted, correct?</p> <p>9 A. Right.</p> <p>10 Q. And this -- you'll see towards the</p> <p>11 bottom of this page, there's a section specific</p> <p>12 to the courthouse grounds, correct?</p> <p>13 A. Right.</p> <p>14 Q. And do you know who drafted this</p> <p>15 language?</p> <p>16 A. Mr. O'Donnell drafted it, with the</p> <p>17 help of Lisa, our county administrator.</p> <p>18 MR. O'DONNELL: I'm going to</p> <p>19 go stand next to Mr. Larson to look</p> <p>20 at his redline version.</p> <p>21 MR. RETHY: Okay.</p> <p>22 MR. O'DONNELL: I'm just</p> <p>23 going back to the definitions</p> <p>24 section. You've indicated --</p> <p>25 (Court reporter</p>	<p style="text-align: right;">Page 97</p> <p>1 BRENT ALLEN LARSON</p> <p>2 clarification.)</p> <p>3 MR. O'DONNELL: I'm just</p> <p>4 looking back on the prior -- the</p> <p>5 2019 policy and definitions</p> <p>6 section. And I don't see that that</p> <p>7 language is in the definition</p> <p>8 section in the 2019 version of the</p> <p>9 policy. So I'm not sure where that</p> <p>10 redline cross-out of "arts</p> <p>11 organizations" is derived from.</p> <p>12 MR. RETHY: If that's a -- I</p> <p>13 guess maybe we're seeing a danger</p> <p>14 of informal redlines. Let me see.</p> <p>15 MR. O'DONNELL: Yeah. Okay.</p> <p>16 Go ahead.</p> <p>17 MR. RETHY: Sorry. Let me</p> <p>18 take just a minute to get to the</p> <p>19 bottom of what's going on with the</p> <p>20 redline. Apologies.</p> <p>21 So I think I probably need</p> <p>22 five minutes to get this straight.</p> <p>23 MR. O'DONNELL: Do you want</p> <p>24 to go off the record?</p> <p>25 MR. RETHY: Yeah.</p>

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1 BRENT ALLEN LARSON  
 2 THE VIDEOGRAPHER: The time  
 3 is 12:03 p.m. Off the record.  
 4 (Off-the-record discussion  
 5 from 12:03 p.m. to  
 6 12:14 p.m.)  
 7 THE VIDEOGRAPHER: The time  
 8 is 12:14 p.m. Back on the record.  
 9 MR. RETHY: So it appears  
 10 that there are multiple iterations  
 11 of the 2019 policy that exist. The  
 12 arts organization language is  
 13 included in the version of the 2019  
 14 policy that's attached to the  
 15 county's opposition to our motion  
 16 for a preliminary injunction. But  
 17 it's also correct that that  
 18 language does not, in fact, appear  
 19 in other produced versions.  
 20 It's unclear to me what the,  
 21 you know, what the sort of  
 22 official -- I believe the arts  
 23 organization language is on the  
 24 policy that's -- version that's  
 25 sort of like a redline itself or a

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1 BRENT ALLEN LARSON  
 2 occurred.  
 3 BY MR. RETHY:  
 4 Q. So I guess at least that -- but I'm  
 5 going to -- but I think that the language we've  
 6 been discussing, the added language in  
 7 paragraphs specific to the courthouse grounds,  
 8 does reflect an actual change as between the  
 9 2019 and 2020 versions that is not just a  
 10 function of, kind of, like, version control  
 11 issues or anything.  
 12 MR. O'DONNELL: Okay. All  
 13 right.  
 14 BY MR. RETHY:  
 15 Q. So turning back to this redline  
 16 document, Mr. Larson, I see in the new  
 17 paragraph concerning the courthouse grounds, it  
 18 states that, Permits are required for all uses  
 19 except no permit is required for use of the  
 20 area immediately surrounding the courthouse  
 21 (sic) memorial for groups of four or less.  
 22 Do you see that?  
 23 A. Where are you? Second page?  
 24 MR. O'DONNELL: The redline  
 25 version.

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1 BRENT ALLEN LARSON  
 2 track changes that's attached to  
 3 the order from 2019 that actually  
 4 adopts it. It's not, I guess,  
 5 clear to me what the -- you know,  
 6 what the county views as the  
 7 authoritative -- you know, as the  
 8 authoritative version with respect  
 9 to those two words. But it's maybe  
 10 not the biggest issue in the world.  
 11 MR. O'DONNELL: I appreciate  
 12 that. I would -- I would say this:  
 13 If that language is part of  
 14 approved policy -- that is, arts  
 15 organizations -- if that's included  
 16 in the definitions, its exclusion  
 17 in later version was not  
 18 intentional but probably a function  
 19 of the fact that you have, like you  
 20 say, more than one version floating  
 21 around. That exclusion was never  
 22 discussed. So . . .  
 23 MR. RETHY: Okay. So --  
 24 MR. O'DONNELL: I'll try to  
 25 see if I can find out how all that

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1 BRENT ALLEN LARSON  
 2 BY MR. RETHY:  
 3 Q. Correct. Second page in the  
 4 redline version.  
 5 A. Yeah. At the bottom.  
 6 Q. Yeah.  
 7 A. Okay. I got you.  
 8 Q. You see? The sentence I read is  
 9 the sentence starting, Permits are required.  
 10 Do you see that?  
 11 A. Permits are required. Yes, I got  
 12 you. Now I'm with you.  
 13 Q. Okay, great. So it says, Permits  
 14 are required for all uses except no permit is  
 15 required for use of the area immediately  
 16 surrounding the Confederate memorial for groups  
 17 of four or less.  
 18 Correct?  
 19 A. Right.  
 20 Q. So that's different from the  
 21 five-person rule as reflected in the order we  
 22 discussed earlier, correct?  
 23 A. Right.  
 24 Q. And could you explain how it's  
 25 different?

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1 BRENT ALLEN LARSON

2 A. No. It seems to be the same, now

3 that I read it. Permits are required for all

4 uses except no permit is required for use of

5 the area immediately -- the use of the area

6 immediately surrounding the Confederate

7 memorial. I think we included the whole

8 courthouse grounds.

9 Q. Correct. That's what I was seeing

10 as the way that this was different from the

11 order.

12 A. Right.

13 Q. But now you need a permit to be,

14 even if you're one person, on the courthouse

15 grounds, so long as it's not the area

16 immediately surrounding the Confederate

17 memorial; is that correct?

18 A. Yes, sir.

19 Q. And what's the reason for that

20 change?

21 A. Just to keep the safety of the --

22 because there's business going on in the

23 courthouse. Not just around the statue, but

24 you've got business going on day to day inside

25 the courthouse. So not to disrupt any business

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1 BRENT ALLEN LARSON

2 Q. So do you recall who proposed this

3 change to the five-person rule?

4 A. Do what, now?

5 Q. Do you recall who proposed this

6 change in the language of the five-person rule?

7 A. The county administrator, I

8 believe.

9 Q. And do you recall what explanation

10 was given?

11 A. No, I don't.

12 Q. And did the board vote unanimously

13 to adopt this?

14 A. Yes.

15 Q. And did the board solicit any input

16 from the public regarding the policy before

17 adopting it?

18 A. Not that I remember.

19 Q. And do you have an understanding as

20 to why the policy is now more lenient with

21 respect to the Confederate statue area as

22 opposed to other parts of the courthouse

23 grounds?

24 A. Because you can fit four people

25 around that statue, and it's just -- it doesn't

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1 BRENT ALLEN LARSON

2 that's happening.

3 Q. So do you remember earlier we were

4 talking about the -- you know, the whole series

5 of potential circumstances involving, like, a

6 group of people sitting on the benches around

7 the courthouse, correct?

8 A. Correct.

9 Q. So is it the case now that,

10 effectively, they're not allowed to use those

11 benches at all?

12 A. No.

13 Q. Do you need to get a permit for

14 even one person to sit on one of those benches?

15 A. No.

16 Q. And why is that not the case?

17 A. Because you've got somebody just

18 sitting and leaving, you know. You don't have

19 to have a permit for that.

20 Q. But one person sitting on a bench

21 and holding the poster that, you know, sets

22 forth a political opinion, that would be

23 prohibited without a permit?

24 A. I mean, we haven't discussed that.

25 I mean, I don't know.

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1 BRENT ALLEN LARSON

2 necessarily require -- one person required, you

3 know, to get a permit when you can have four up

4 there without impeding the sidewalk or traffic.

5 Q. But you're saying that even one

6 person anywhere on the courthouse grounds

7 impedes pedestrian traffic?

8 MR. O'DONNELL: Object to

9 form. You can answer.

10 A. Say again.

11 Q. Are you saying that even one person

12 on another part of the courthouse grounds does

13 impede pedestrian traffic?

14 A. Speculative. It's -- I don't know,

15 I mean.

16 Q. But you're saying that was the

17 basis for the board treating the Confederate

18 statue area and the rest of the courthouse

19 grounds differently; is that correct?

20 A. I don't know.

21 Q. So you don't know why the

22 Confederate statue area and the rest of the

23 county courthouse grounds are treated

24 differently in this regard?

25 A. Talking as to what?

<p style="text-align: right;">Page 106</p> <p>1 BRENT ALLEN LARSON</p> <p>2 Q. Excuse me?</p> <p>3 A. Treated differently in what way?</p> <p>4 Q. In that you don't need a permit for</p> <p>5 four people or less right around the</p> <p>6 Confederate statue, but you do need a permit</p> <p>7 for four people or less anywhere else on the</p> <p>8 courthouse grounds.</p> <p>9 A. And what is your question about</p> <p>10 that?</p> <p>11 Q. Why is the Confederate statue area</p> <p>12 and the rest of the county courthouse grounds</p> <p>13 treated differently?</p> <p>14 A. I don't know.</p> <p>15 Q. So if you look at page 3 of the</p> <p>16 redline, the paragraph called, Denial of</p> <p>17 Proposed Usage.</p> <p>18 Do you see that?</p> <p>19 A. I do.</p> <p>20 Q. And so this paragraph now, you</p> <p>21 know, adds some language that wasn't previously</p> <p>22 in the -- you know, in the 2019 policy, right?</p> <p>23 A. I don't know. I wasn't there in</p> <p>24 2019.</p> <p>25 Q. Then let's look at the 2019 policy.</p>	<p style="text-align: right;">Page 107</p> <p>1 BRENT ALLEN LARSON</p> <p>2 A. Where is the 2019?</p> <p>3 Q. I think it's tab 3.</p> <p>4 A. Page 3?</p> <p>5 Q. Tab 3.</p> <p>6 A. Okay.</p> <p>7 Q. So if you look at page 2 -- there</p> <p>8 might be a blank page, but the page that is</p> <p>9 page 2 of 4.</p> <p>10 A. Okay.</p> <p>11 Q. And you see at the bottom, there's</p> <p>12 a paragraph called, Denial of Usage, correct?</p> <p>13 A. Correct.</p> <p>14 Q. And you see that this says, The</p> <p>15 county reserves the right to deny applications</p> <p>16 for use if the user has previously violated the</p> <p>17 rules set forth in this policy or if the use</p> <p>18 would pose health or safety risks.</p> <p>19 Correct?</p> <p>20 A. That's right.</p> <p>21 Q. And that's the entirety of that</p> <p>22 paragraph, correct?</p> <p>23 A. Correct.</p> <p>24 Q. And now if you look at the newly</p> <p>25 adopted policy -- you can look at the clean</p>
<p style="text-align: right;">Page 108</p> <p>1 BRENT ALLEN LARSON</p> <p>2 version. Do you see on page 3 of the clean</p> <p>3 version there's a paragraph called, Denial of</p> <p>4 Proposed Usage?</p> <p>5 A. Yes.</p> <p>6 Q. And would you agree that that</p> <p>7 paragraph corresponds to the paragraph in the</p> <p>8 2019 policy?</p> <p>9 A. Yes.</p> <p>10 Q. And you would agree that there's</p> <p>11 additional language that's been added to that</p> <p>12 paragraph as of this -- this new policy that</p> <p>13 was adopted by the board on January 4th,</p> <p>14 correct?</p> <p>15 A. That's correct.</p> <p>16 Q. So who drafted this new language?</p> <p>17 A. Mr. O'Donnell drafted it, I</p> <p>18 believe. Between him and the county</p> <p>19 administrator.</p> <p>20 Q. So in this paragraph, it says, The</p> <p>21 county reserves the right to deny applications</p> <p>22 or impose reasonable time, place, and manner</p> <p>23 restrictions in granting a permit, depending on</p> <p>24 the nature of the proposed use.</p> <p>25 Do you see that?</p>	<p style="text-align: right;">Page 109</p> <p>1 BRENT ALLEN LARSON</p> <p>2 A. I do.</p> <p>3 Q. What's your understanding of a</p> <p>4 time, place, and manner restriction?</p> <p>5 A. Just what it says, the time, the</p> <p>6 place, and the manner they're going -- you</p> <p>7 know, let's see. The time and the manner</p> <p>8 they're going to hold their event. And make</p> <p>9 sure there's not any competing events at the</p> <p>10 same time.</p> <p>11 Q. So it says that the county reserves</p> <p>12 this right to impose these restrictions. Would</p> <p>13 that be -- so who at the county would actually</p> <p>14 determine those restrictions in the event the</p> <p>15 county sought to exercise this right?</p> <p>16 A. The administrator.</p> <p>17 Q. And --</p> <p>18 A. And the sheriff.</p> <p>19 Q. And what factors would they</p> <p>20 consider?</p> <p>21 A. Competing events. I mean, that's</p> <p>22 what I know of. That's a question for them,</p> <p>23 really, since I have no part of the decision</p> <p>24 process whether to deny an application.</p> <p>25 Competing events, holidays.</p>

<p style="text-align: right;">Page 110</p> <p>1 BRENT ALLEN LARSON</p> <p>2 Q. And so then later in the paragraph,</p> <p>3 it says, In the event an applicant is denied a</p> <p>4 permit or if a permittee objects to any use</p> <p>5 restriction required by the county</p> <p>6 administrator, the applicant or permittee may</p> <p>7 appeal the denial or restriction to the</p> <p>8 Lafayette County Board of Supervisors by filing</p> <p>9 a written appeal with the county administrator</p> <p>10 within 10 days of the denial or grant of the</p> <p>11 permit with restrictions.</p> <p>12 Correct?</p> <p>13 A. Right.</p> <p>14 Q. And this appeal process is new as</p> <p>15 of the adoption of this policy, correct?</p> <p>16 A. Yes.</p> <p>17 Q. And what's your understanding of</p> <p>18 how that appeal process will work?</p> <p>19 A. I've never done one, so I don't</p> <p>20 know, other than what it says in the --</p> <p>21 Q. So who would decide the appeal?</p> <p>22 A. The board of supervisors.</p> <p>23 Q. And that includes yourself,</p> <p>24 correct?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 111</p> <p>1 BRENT ALLEN LARSON</p> <p>2 Q. And so what would you consider if</p> <p>3 you received an appeal?</p> <p>4 A. Well, every situation is unique,</p> <p>5 so, I mean, you really would -- it's hard to</p> <p>6 say when you've got every different --</p> <p>7 different -- make sure each -- each case is</p> <p>8 unique and different. I can't possibly say</p> <p>9 what I would consider without knowing the</p> <p>10 circumstance.</p> <p>11 Q. So you would consider it on a</p> <p>12 case-by-case basis?</p> <p>13 A. That's right.</p> <p>14 Q. And you would just use your</p> <p>15 judgment to make that determination?</p> <p>16 A. Right.</p> <p>17 Q. And do you have an understanding of</p> <p>18 why the board decided to adopt this appeal</p> <p>19 process?</p> <p>20 A. Just to give the applicant a fair</p> <p>21 shot at letting the board hear it, hear their</p> <p>22 case.</p> <p>23 Q. If there was an appeal, when would</p> <p>24 the board consider it?</p> <p>25 A. 10 days after the denial, I</p>
<p style="text-align: right;">Page 112</p> <p>1 BRENT ALLEN LARSON</p> <p>2 believe.</p> <p>3 Q. So it says it has to be filed</p> <p>4 within 10 days, correct?</p> <p>5 A. Right.</p> <p>6 Q. And so are you saying the board</p> <p>7 would consider it immediately upon filing?</p> <p>8 A. Yes.</p> <p>9 Q. And so you would expect the board</p> <p>10 to make a decision the same day that the appeal</p> <p>11 was filed?</p> <p>12 A. No.</p> <p>13 Q. When would the board make a</p> <p>14 decision?</p> <p>15 A. I don't know.</p> <p>16 Q. There's no -- there's nothing in</p> <p>17 the policy that defines the timing by which the</p> <p>18 board has to make a decision, correct?</p> <p>19 A. Correct.</p> <p>20 Q. So in a -- if you go down to the</p> <p>21 last page -- or the second-to-last page of the</p> <p>22 redline document.</p> <p>23 A. Okay.</p> <p>24 Q. You'll see that the paragraph</p> <p>25 called, Signs -- you know, with the header,</p>	<p style="text-align: right;">Page 113</p> <p>1 BRENT ALLEN LARSON</p> <p>2 Signs?</p> <p>3 A. Right.</p> <p>4 Q. And then you'll see that there's an</p> <p>5 added word, where the word "flag" is added.</p> <p>6 A. Right.</p> <p>7 Q. And do you understand why that word</p> <p>8 was added?</p> <p>9 A. No, I don't.</p> <p>10 Q. So was that addition discussed when</p> <p>11 this policy was adopted?</p> <p>12 A. No, it was not discussed.</p> <p>13 Q. Do you agree with that policy</p> <p>14 change, looking at it now?</p> <p>15 A. Yes, I do.</p> <p>16 Q. And can you explain why?</p> <p>17 A. Because it's a -- a flag. It can</p> <p>18 be -- obstruct someone's view or, you know,</p> <p>19 it's just -- it's just not fair for one person</p> <p>20 or 10 people -- however -- to have flags to</p> <p>21 obstruct view -- in my opinion, to obstruct</p> <p>22 someone's view.</p> <p>23 Q. So is it your understanding that</p> <p>24 this policy now prohibits bringing flags onto</p> <p>25 the courthouse grounds altogether?</p>



<p style="text-align: right;">Page 114</p> <p>1 BRENT ALLEN LARSON</p> <p>2 A. Yes.</p> <p>3 (Court reporter</p> <p>4 clarification.)</p> <p>5 A. Altogether? No.</p> <p>6 Q. So in what way does it not?</p> <p>7 A. I don't know.</p> <p>8 Q. So why did you change your answer</p> <p>9 from the first to the second time --</p> <p>10 A. I thought it was around the</p> <p>11 monument, but I don't see something</p> <p>12 identifying -- identifying that. It's going to</p> <p>13 be on a metal, lumber, wood or plastic -- okay.</p> <p>14 It's going to be on a piece of wood or lumber.</p> <p>15 The flag will be on a piece of lumber or wood.</p> <p>16 And what was your question? I've lost it</p> <p>17 reading through this -- again?</p> <p>18 Q. I was asking whether it's your</p> <p>19 understanding that this prohibits bringing</p> <p>20 flags onto the county courthouse grounds.</p> <p>21 A. No.</p> <p>22 Q. Could you explain your</p> <p>23 understanding of what it does prohibit?</p> <p>24 A. Poles or lumber, wood that go on --</p> <p>25 that the flag goes on. It prohibits lumber or</p>	<p style="text-align: right;">Page 115</p> <p>1 BRENT ALLEN LARSON</p> <p>2 wood, plastic.</p> <p>3 Q. And then it says, unless such</p> <p>4 object is one-fourth inch or less in thickness</p> <p>5 and two inches or less in width, etcetera,</p> <p>6 correct?</p> <p>7 A. Right.</p> <p>8 Q. So flags are -- flags are permitted</p> <p>9 so long -- this just regulates the dimensions</p> <p>10 of the flagpole, essentially?</p> <p>11 A. Right.</p> <p>12 Q. And you previously said that you</p> <p>13 agreed with this because -- because flags can</p> <p>14 obstruct view. But that doesn't -- whether a</p> <p>15 flag obstructs a view isn't a function of the</p> <p>16 width or the dimensions of a flagpole, correct?</p> <p>17 A. Do what, now? Say again.</p> <p>18 Q. Whether or not a flag obstructs the</p> <p>19 view doesn't depend on how thick the flagpole</p> <p>20 is, correct?</p> <p>21 A. Right.</p> <p>22 Q. So under this policy, you could</p> <p>23 still have flags that obstruct view, correct?</p> <p>24 A. Right.</p> <p>25 Q. So I'm going to attempt to share my</p>
<p style="text-align: right;">Page 116</p> <p>1 BRENT ALLEN LARSON</p> <p>2 screen to play a video. I've never really done</p> <p>3 this before, so it might not work, or you might</p> <p>4 see, like, other weird stuff on my screen, but</p> <p>5 hopefully not.</p> <p>6 MR. O'DONNELL:</p> <p>7 (Indiscernible.)</p> <p>8 BY MR. RETHY:</p> <p>9 Q. But let me know if -- so can you</p> <p>10 see -- do you see a video window?</p> <p>11 A. No, I don't.</p> <p>12 MR. O'DONNELL: Do you see</p> <p>13 the courthouse?</p> <p>14 THE WITNESS: Yes.</p> <p>15 MR. O'DONNELL: He sees the</p> <p>16 courthouse.</p> <p>17 A. I thought you meant -- yes, I see</p> <p>18 it. I'm sorry.</p> <p>19 Q. So, now, is the video playing?</p> <p>20 A. It is.</p> <p>21 (Video played.)</p> <p>22 BY MR. RETHY:</p> <p>23 Q. And do you recognize what this</p> <p>24 video is showing?</p> <p>25 A. Yes, I do.</p>	<p style="text-align: right;">Page 117</p> <p>1 BRENT ALLEN LARSON</p> <p>2 Q. And could you describe it?</p> <p>3 A. It shows a picture of the</p> <p>4 courthouse with some kind of festival, it looks</p> <p>5 like, a festival in Oxford. I can't recall it.</p> <p>6 Q. Is it -- is it fair to say this</p> <p>7 might be the Double Decker Arts Festival?</p> <p>8 A. Double Decker, yeah. That's what</p> <p>9 it looks like.</p> <p>10 Q. And so this shows some people and</p> <p>11 some booths and tents and so forth on the</p> <p>12 courthouse grounds, correct?</p> <p>13 A. Right.</p> <p>14 Q. And is this a use that might be</p> <p>15 permitted under the policies as they currently</p> <p>16 stand, or is this contrary to the current</p> <p>17 policies?</p> <p>18 A. I don't know. I do not know how</p> <p>19 they treat special events. We haven't had one</p> <p>20 since I've been in office.</p> <p>21 Q. I'm no longer sharing the screen,</p> <p>22 correct?</p> <p>23 MR. O'DONNELL: Correct.</p> <p>24 A. Right.</p> <p>25 Q. You haven't had special events. Is</p>

<p style="text-align: right;">Page 118</p> <p>1 BRENT ALLEN LARSON</p> <p>2 that because of COVID?</p> <p>3 A. Yes. That's right.</p> <p>4 Q. But prior to COVID, there were</p> <p>5 events that involved use of the county</p> <p>6 courthouse grounds, right?</p> <p>7 A. Yes, like Double Decker did. I</p> <p>8 don't know what else you might be referring to.</p> <p>9 Q. Have you ever attended Double</p> <p>10 Decker Arts Festival?</p> <p>11 A. I have.</p> <p>12 Q. And do you recall what year or</p> <p>13 years you might have attended it?</p> <p>14 A. I don't.</p> <p>15 MR. RETHY: So let's go off</p> <p>16 the record. I might be done, but I</p> <p>17 just want to check my notes. So if</p> <p>18 you give me five minutes.</p> <p>19 THE WITNESS: Okay.</p> <p>20 THE VIDEOGRAPHER: The time</p> <p>21 is 12:46 p.m. Off the record.</p> <p>22 (Recess from 12:46 p.m. to</p> <p>23 12:53 p.m.)</p> <p>24 THE VIDEOGRAPHER: The time</p> <p>25 is 12:53 p.m. Back on the record.</p>	<p style="text-align: right;">Page 119</p> <p>1 BRENT ALLEN LARSON</p> <p>2 BY MR. RETHY:</p> <p>3 Q. So, Mr. Larson, we talked about</p> <p>4 recently this latest version of the policy that</p> <p>5 was adopted at the meeting on January 4th,</p> <p>6 right?</p> <p>7 A. Right.</p> <p>8 Q. And we talked about this paragraph</p> <p>9 concerning the courthouse grounds -- this new</p> <p>10 paragraph concerning the courthouse grounds and</p> <p>11 the added language in the</p> <p>12 denial-of-proposed-use paragraph, correct?</p> <p>13 A. Right.</p> <p>14 Q. And you testified that those</p> <p>15 paragraphs were written by Mr. O'Donnell and</p> <p>16 Ms. Carwyle; is that correct?</p> <p>17 A. Yeah. I'm under the assumption</p> <p>18 that's correct. I never have asked.</p> <p>19 Q. And do you know whether any of</p> <p>20 those -- any of the language in those</p> <p>21 paragraphs was -- was put into this policy in</p> <p>22 response to this lawsuit?</p> <p>23 A. No, it was not.</p> <p>24 Q. And how do you know that?</p> <p>25 A. Because we looked over the changes</p>
<p style="text-align: right;">Page 120</p> <p>1 BRENT ALLEN LARSON</p> <p>2 to begin with and corresponded with</p> <p>3 Mr. O'Donnell.</p> <p>4 Q. And how did that lead you to</p> <p>5 conclude that this language was not added in</p> <p>6 response to this lawsuit?</p> <p>7 MR. O'DONNELL: Object to</p> <p>8 form. You can answer.</p> <p>9 A. Because it was -- say it again,</p> <p>10 now. I lost you.</p> <p>11 Q. So what's the basis for your</p> <p>12 assertion that this language wasn't added into</p> <p>13 the policy in reaction to this lawsuit?</p> <p>14 A. I just know it wasn't. I mean,</p> <p>15 it's -- no one -- I think -- let me look and</p> <p>16 see.</p> <p>17 We did it on the advice of the</p> <p>18 sheriff. It was already done in June and July</p> <p>19 before -- it was done in June and July upon the</p> <p>20 advice of the sheriff.</p> <p>21 Q. Right. But there's new language</p> <p>22 that is new as of this document, which is</p> <p>23 dated -- which came into existence later than</p> <p>24 June and July, correct?</p> <p>25 A. Right.</p>	<p style="text-align: right;">Page 121</p> <p>1 BRENT ALLEN LARSON</p> <p>2 Q. For instance, language regarding</p> <p>3 reasonable time, place, and manner</p> <p>4 restrictions.</p> <p>5 A. Right.</p> <p>6 Q. Was that language put in place by</p> <p>7 the sheriff?</p> <p>8 MR. O'DONNELL: Object to</p> <p>9 form. You can answer.</p> <p>10 A. I'm going to say that's placed by</p> <p>11 Mr. O'Donnell.</p> <p>12 Q. And you don't know the specific</p> <p>13 reason why Mr. O'Donnell included that</p> <p>14 language, correct?</p> <p>15 A. Correct. Well, I mean, it's pretty</p> <p>16 self-explanatory, time, place, and manner --</p> <p>17 what time, the place, and the manner you're</p> <p>18 doing it. I mean, holiday or whatever was my</p> <p>19 understanding.</p> <p>20 Q. Are you aware that the phrase,</p> <p>21 "time, place, and manner restriction" has a</p> <p>22 specific meaning in First Amendment law?</p> <p>23 A. Do what, now?</p> <p>24 Q. That the phrase "time, place, and</p> <p>25 manner restriction" has a specific meaning in</p>



<p style="text-align: right;">Page 122</p> <p>1 BRENT ALLEN LARSON</p> <p>2 First Amendment law?</p> <p>3 A. No.</p> <p>4 Q. Going back to the previous page in</p> <p>5 the courthouse grounds paragraph: The use of</p> <p>6 the courthouse exterior grounds, defined to</p> <p>7 include the outside areas contiguous to the</p> <p>8 circuit courthouse and the area encompassing</p> <p>9 the Confederate memorial, is limited given that</p> <p>10 it is primarily a place of court business.</p> <p>11 Do you see that language?</p> <p>12 A. Uh-huh.</p> <p>13 Q. And do you know who wrote that?</p> <p>14 A. Do I know who wrote that? It's</p> <p>15 going to be -- no, I don't. I was going to</p> <p>16 say -- I don't know.</p> <p>17 Q. And so you don't know why that</p> <p>18 language was inserted into here specifically,</p> <p>19 correct?</p> <p>20 A. It was because of -- I lost my</p> <p>21 place here. Okay. I got it. Because the</p> <p>22 court carries on court and everything else,</p> <p>23 business with the county. They have trials and</p> <p>24 everything else, circuit clerk.</p> <p>25 Q. Well, you didn't write this</p>	<p style="text-align: right;">Page 123</p> <p>1 BRENT ALLEN LARSON</p> <p>2 language, right?</p> <p>3 A. Do what?</p> <p>4 Q. You did not write that language</p> <p>5 yourself, right?</p> <p>6 A. No, I didn't.</p> <p>7 Q. And so that's just your</p> <p>8 interpretation of why that language would have</p> <p>9 been included, right?</p> <p>10 A. Right.</p> <p>11 MR. RETHY: I don't have any</p> <p>12 further questions.</p> <p>13 MR. O'DONNELL: I don't have</p> <p>14 any questions.</p> <p>15 THE VIDEOGRAPHER: This</p> <p>16 concludes today's deposition. The</p> <p>17 time is 1:00 p.m. Off the record.</p> <p>18 (The deposition of BRENT</p> <p>19 ALLEN LARSON concluded at</p> <p>20 1:00 p.m. Central Standard</p> <p>21 Time.)</p> <p>22 * * * * *</p> <p>23</p> <p>24</p>
<p style="text-align: right;">Page 124</p> <p>1 BRENT ALLEN LARSON</p> <p>2 REPORTER'S CERTIFICATE</p> <p>3 I, Greta H. Duckett, Certified Court</p> <p>4 Reporter, Registered Professional Reporter, and</p> <p>5 Certified Realtime Reporter, hereby certify</p> <p>6 that on Thursday, January 14, 2021, I reported</p> <p>7 the remote deposition of BRENT ALLEN LARSON,</p> <p>8 who was first duly sworn or affirmed to speak</p> <p>9 the truth in the matter of the foregoing cause,</p> <p>10 and that the pages herein contain a true and</p> <p>11 accurate transcription of the examination of</p> <p>12 said witness by counsel for the parties set out</p> <p>13 herein.</p> <p>14 I further certify that I am neither of</p> <p>15 kin nor of counsel to any of the parties to</p> <p>16 said cause, nor in any manner interested in the</p> <p>17 results thereof.</p> <p>18 This 27th day of January, 2021.</p> <p>19</p> <p>20</p> <p>21 _____</p> <p>GRETA H. DUCKETT, RPR, CRR, CVR-S, RVR-M-S</p> <p>22 ACCR-12, GCCR-2891, MCCR-1945, TNLCR-671</p> <p>23</p> <p>24</p>	

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